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COMMISSION ON HUMAN RIGHTS

Fifty-sixth session

SUMMARY RECORD OF THE 44th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 12 April 2000, at 9 p.m.

Chairman: Mr. JAKUBOWSKI (Poland)
(Vice-Chairman)

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RIGHTS OF THE CHILD (continued)

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Any corrections to the records of the public meetings of the Commission at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.00-15305 (E)

The meeting was called to order at 9.05 p.m.

RIGHTS OF THE CHILD (agenda item 13) (continued) (E/CN.4/2000/69-73 and Add.1-3, 74, 75 and 128; E/CN.4/2000/NGO/21, 35, 57, 59, 82, 88, 127, 142; CRC/C/84, 87 and 90)

1. Ms. SHAUMIAN (International Institute for Peace) said that, despite the ratification of the Convention on the Rights of the Child by almost 200 countries and the entry into force of the International Labour Organization (ILO) Worst Forms of Child Labour Convention 1999, children continued to be pushed into the labour market. The ILO estimated the worldwide number of working children at a staggering 250 million, of whom at least 120 million between the ages of 5 and 14 years were working full time. It was mainly poverty, often exacerbated by debt bondage, that drove parents to send their children to work, particularly in Asia, where the child working population was estimated to be about 40 million. Girl children often began working earlier than boys, were paid less and risked being sexually exploited or trafficked into developed countries. Her organization strongly supported the actions proposed by the Beijing Declaration and Platform for Action, such as appeals to Governments and NGOs to protect girls from violence at work and sexual harassment.

2. In her report (E/CN.4/2000/3) the Special Rapporteur on disappearances and summary executions had expressed her deep concern over the increasing use of children as soldiers and support staff in armed conflicts. Some 300,000 children under the age of 18 were estimated to be serving in that way, including 120,000 in Africa alone. In its resolution 1999/80 (Rights of the Child), the Commission had called on all parties to armed conflict to end the use of children as soldiers and to implement effective measures for their rehabilitation and reintegration into society - recommendations which her organization also strongly endorsed.

3. Mr. SARAF (World Muslim Congress) said that the adoption by consensus of the ILO Worst Forms of Child Labour Convention, and of two optional protocols to the United Nations Convention on the Rights of the Child marked significant advances towards ensuring that government policies were always undertaken in the best interest of the children themselves. Any State becoming a party to those instruments committed itself to review its national laws to ensure conformity with their provisions. That was, unfortunately, far from being the situation in many States, particularly those in southern Asia, the home of 40 per cent of the world's poor and of more than a third of working children between the ages of 10 and 14.

4. According to the 1999 World Bank Report, the economies of Southern Asia were the least integrated in the globalization process, largely as a consequence of the hegemonic policies pursued by India. It was ironic that that country, which had ratified the Convention on the Rights of the Child, should have entered a declaration relating to its interpretation of article 32, offering lack of resources as an excuse for its inability to make faster progress, when it had announced a 28 per cent increase in its defence budget as recently as March 2000. He urged the Commission to ask the Government of India to implement the provisions of the Convention on the Rights of the Child in letter and spirit; to withdraw its declaration under article 32, and to divert resources from defence spending to the immediate implementation of its international commitments under the Convention.

5. Ms. ALI (Afro-Asian People's Solidarity Organization) said that, although article 13 (1) of the Convention on the Rights of the Child guaranteed the freedom to seek, receive and impart information and ideas of all kinds, which was particularly important in relation to education, many children were being denied the full exercise of that right. In Pakistan, for example, only 70 per cent of children under the age of 12 were enrolled in schools, and less than half of them actually completed primary school. Islamic studies was a compulsory subject for all Muslim students, but in theory not for students of other faiths. In practice, however, many such students were compelled by teachers to follow Islamic studies.

6. In higher education, although both the Government and universities generally respected academic freedom, an atmosphere of violence and intolerance was fostered by student organizations linked to political parties or radical religious organizations. Such groups intimidated other students and instructors, and even challenged the university administration on a range of matters, including syllabus, examination policies, doctrines and dress.

7. Meanwhile, cases of sexual abuse and trafficking of children were on the increase in Pakistan, and the smuggling of children into the Gulf States had spiralled in 1997. In view of the gap in many States between ratification of the Convention and the actual state of affairs, it was essential for the Commission to remain vigilant and to intervene in situations where children were being brought under influences that could eventually turn them into fundamentalists, mercenaries and terrorists.

8. Ms. AMALIA (Netherlands Organization for International Development Cooperation) said that the Indonesian President's decision to ratify the Convention on the Rights of the Child was far from guaranteeing that every Indonesian child would enjoy its rights. As a result of the prolonged economic crisis in that country the number of children driven out onto the streets in an effort to survive had increased by 400 per cent. Partly as a result of the traditional paternalistic culture of the family and community, street children were branded as thieves and criminals, and frequently became victims of violence, particularly when the authorities set out to "clean up" the cities. There had also been a sharp increase in child labour, especially in the informal sector, and some children were subjected to heavy manual labour.

9. Girls were often forced into marriage or sold as prostitutes. In conflict areas many children were made to serve in the front line and had, in the Moluccas, been used as living shields by the militia. Another consequence of political conflicts was that the absence of adult male family members often forced children out of school to work in support of their families. In addition, only children living in regular families were able to enjoy the right to education. Even then, with fees, books and uniforms to be paid for, it was estimated that in a family with four children three would not receive education, and she contested the statement by the Director of the World Bank that the Social Safety Net for Education was making it possible for children to continue their education. The basis of the Safety Net was discriminatory and excluded the children of the poor.

10. Her organization requested the Commission to urge the Indonesian Government to implement children's rights in conformity with the standards of the Convention on the Rights of the Child and, in cooperation with the relevant NGOs, to engage in an active programme to educate society in children's rights.

11. Ms. DEL AGUILA (Christian Aid) said that the problem of children's rights was particularly acute in Central America, where over 50 per cent of the population were under 19 years of age. The majority of those lived in rural areas, and a high percentage were brought up in poverty. In Guatemala, for example, 46 per cent of children under five suffered from malnutrition; only 40 per cent had access to the health system; only 50 per cent of children of primary school age had access to education, and over 760,000 children were made to work. Similar figures applied to El Salvador, Honduras and Nicaragua. It was difficult to obtain precise figures for the number of street children, so often exposed to sexual exploitation and generally not protected by government institutions. In Guatemala, under a 1979 law, vulnerable children whose rights were violated were equated with those in conflict with the criminal law. Although the Guatemalan Congress had, in 1996, adopted the Childhood and Youth Code in line with the Convention on the Rights of the Child, its implementation had been undermined by conservative groups, which regularly attacked human rights organizations and United Nations bodies such as UNICEF and MINUGUA.

12. Her organization requested the Commission: to recommend that the Guatemalan Government to resume application of the Childhood and Youth Code; and to urge Central American Governments to give priority to children's problems. It further called for the Commission and other international organizations to monitor Guatemala's compliance in practice with its undertakings to protect the rights of the child, and requested that the implementation of the recommendations of the Special Rapporteurs on the sale of children, child prostitution and child pornography and on the independence of the judiciary, as well as those of the Guatemalan Committee on the Rights of the Child, should be monitored by MINUGUA on a permanent basis.

13. Mr. ABDULLA AHMED (Islamic African Relief Agency), speaking also on behalf of the Global Health Foundation, said that north to south seasonal migration in Sudan had long been conducted peacefully between the northern and Nilotic tribes, and goodwill had generally continued to prevail after the outbreak of the rebel movement in 1983, when the southern tribes began migrating northwards. Although friction sometimes resulted in tribal conflicts leading to looting of livestock and the abduction of women and children, reconciliation had been effected with the assistance of tribal chiefs, the Government and NGOs. It should be noted that abduction had not been restricted to north-south conflicts but had also occurred in conflicts among the southern Nilotic tribes, which gave the lie to the false allegations of slavery in Sudan made by some international agencies and the media.

14. Another deplorable recent development was the abduction of minors by the rebel movement and their conscription into the so-called "Red Army". The related problem of the plight of unaccompanied minors, a large number of whom were reported to be living in refugee camps in Ethiopia, had been investigated by a number of NGOs and by the United Nations High Commissioner for Refugees (UNHCR) and the Resident Representative of the United Nations Children's Fund (UNICEF). Although the abduction of minors was a direct consequence of the traditional bilateral detention of individuals during times of tribal conflict, some international voluntary organizations, such as Christian Solidarity International, had represented the phenomenon as a form of slavery, a prejudiced view that had been propagated by the international mass media. The promotion of children's rights remained a major concern of all

sectors of the Sudanese community, and a number of international and national NGOs had been cooperating in the identification of abducted persons and their reunification with their families. There was reason to believe that the re-establishment of harmonious relations between the indigenous Sudanese tribes would make it possible to put an end to the practice of abduction.

15. Ms. SERIS (Society for Threatened Peoples) said that the most inhuman aspect of the expulsion of 70,000 ethnic Eritreans from Ethiopia, which had been widely condemned by a number of national and international human rights bodies, was the break-up of families and the forcible separation of children from their parents, the number of children left behind by expelled parents being estimated by Citizens for Peace in Eritrea at approximately 2,600. Unfortunately, the UNICEF officer dispatched, after considerable delay, had talked to only a very small number of the families in Eritrea who had left children behind in Ethiopia, having located only 33 children as a result of confining her investigations to those who had telephone numbers. She had finally concluded that the children were happy and had no desire to return to their parents. Another distressing consequence of the war had been the expulsion of children from school and their persecution after their parents were deported. Some of those children had even been treated as prisoners of war. There was also evidence of inhuman treatment of women about to give birth during the expulsion process.

16. Her organization urged the Commission to call on the Ethiopian Government to endorse the Organization for African Unity peace plan and to facilitate the reunification of Eritrean families.

17. Mr. KAUL (Himalayan Research and Cultural Foundation) said that the exploitation of children in armed conflicts, which had been condemned by the Security Council in its resolution 1261 (1999) and documented in the Children in Armed Conflict reports by the Special Representative of the Secretary-General, rightly continued to receive the serious attention of the Commission and NGOs. The most barbaric examples were provided by Kashmir, where Islamist mercenaries were using abduction and rape to force children to act as gun-runners and participate in various acts of terrorist violence aimed at the Islamization of secular Kashmiri society. On occasions kidnapping had been followed by the murder of the victims. Attacks were also being made by the terrorist organizations Hizb-ul-Mujahideen and Lashkar-i-Taiba on schools, schoolchildren and their teachers in an attempt to make extremist Islamic education the only type of education available to children. Attacks on minority communities by Islamic terrorists were also inflicting psychological and physical damage on innocent children.

18. The Commission should take serious notice of terrorist crimes against innocent children in the Indian State of Jammu and Kashmir, and institute sanctions against States harbouring, training and arming terrorists.

19. Ms. CERVANTES VÁSQUEZ (Organization of Solidarity of the Peoples of Africa, Asia and Latin America), also speaking on behalf of the Indian Movement "Tupaj Amaru" and Centre Europe-Tiers Monde, said that the abduction of six-year-old Elian González and the cruel psychological sufferings inflicted on him in pursuit of ill-defined political objectives were in violation of articles 15 (2), 16 (3) and 26 (3) of the Universal Declaration of Human Rights, and articles 8, 9, 11, 19 and 35 of the Convention on the Rights of the Child. Those articles established in particular recognition of the family as a natural and fundamental unit of society,

the right of parents to choose the education of their children, the right of children to preserve their identity and nationality, the duty to protect children against all forms of physical or mental abuse, and the duty to prevent the abduction, sale or trafficking of children for any purpose. Elian was being held in the United States, one of the only two countries in the world not to have ratified the Convention, the real reasons being that the boy was a Cuban and belonged to a people that had not bowed to the will of the United States of America. The extreme right-wing Cuban exiles endeavouring to keep Elian in the United States were indifferent to the future of Africans, Asians and Latin Americans living in abject poverty and to the sufferings of Iraqi and Yugoslav children. Such a flagrant violation of human rights, striking at the very root of human society, the family, was repugnant and indefensible from any humane point of view.

20. Mr. SCHIBLI (International Organization for the Development of Freedom of Education), speaking also on behalf of Defence for Children International, World Federation of Methodist and Uniting Church Women, and World Vision International, said that the child's best interest and the prohibition of discrimination on any grounds should remain the overriding principles guiding children's policies, including on education. When the Convention had been drafted, it had not been foreseen that religion would become such an important issue, and that it would, combined with ethnic and nationalist intolerance, lead to gross violations of children's rights. There was, therefore, an urgent need for religions to fight all forms of intolerance and discrimination and to advocate a global ethic as the basis for a more responsible national and world order. As the High Commissioner for Human Rights had said, a basic task for the defenders of human rights and religious liberty was the fostering of dialogue between cultures and religions.

21. His organization urged the Commission to grant more attention to children's right to freedom of religion, to make special provision for the discussion of human rights and religion at its fifty-seventh session, and to encourage cooperation between the relevant United Nations mechanisms and agencies.

22. Mr. ABEBE (Observer for Ethiopia), replying to the allegations made by the representative of the Society for Threatened Peoples, said that his Government had repeatedly and clearly stated that, as a result of aggression by Eritrea abetted by its illegal organization established in Ethiopia, it had for national security reasons asked some Eritreans to leave the country. Although under Ethiopian law it could have required any dependant of a deported person also to leave the country, the Government had left it open for dependants to decide whether to leave Ethiopia of their own free will or remain, like other Eritreans, living peacefully in the country. Since family reunion was an option available to all family members, it was not an issue at all and the allegation lodged against the Ethiopian Government by that speaker was unfounded and unrealistic.

The meeting rose at 10.10 p.m.

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COMMISSION ON HUMAN RIGHTS

Fifty-sixth session

SUMMARY RECORD OF THE 45th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 13 April 2000, at 10.00 a.m.

Chairman: Mr. SIMKHADA (Nepal)

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GE.00-12847 (E)

The meeting was called to order at 10 05 a m

STATEMENT BY THE MINISTER FOR FOREIGN AFFAIRS OF CANADA

1 Mr AXWORTHY (Canada), recalling that the Charter of the United Nations was written in the name of "we the peoples", said that the Commission should encourage every part of the Organization to view its mandate from a more people-centred perspective, with a view to achieving universal respect for human rights During its current monthly presidency of the Security Council, his delegation was accordingly seeking to promote human security The protection of civilians had already been made an explicit part of United Nations operations in Sierra Leone and East Timor, and child protection advisors and human rights units were regularly involved in all peacekeeping missions

2 It was clear, however, that the Security Council was often constrained by political pressures It had failed, for example, to lend its support to peace efforts in the Sudan The Commission on Human Rights should take a firm stand by expressing the international community's deep concern at the serious violations of human rights and humanitarian law occurring as a result of the conflict there In that connection, his Government strongly welcomed the High Commissioner's decision to investigate the possibility of establishing a human rights field office in the Sudan

3 To ensure that there was no impunity for human rights violations in the Sudan, any efforts the Commission might make should also be complemented by action at other levels, inter alia by the Bretton Woods institutions and the Inter-Governmental Authority on Development (IGAD) Indeed, the Security Council's shortcomings underlined the importance of strengthening other tools His Government thus looked forward, also, to an early ratification of the Statute of the International Criminal Court

4 In Chechnya, an independent commission of inquiry should be established, since human security in that troubled region would not be restored without an open, inclusive and comprehensive investigation of the allegations by all sides In Sierra Leone, the international community was faced with the dual challenge of addressing impunity for gross human rights abuses and providing support for the peace accords His own Government, for its part, had pledged financial support for the creation of a truth and reconciliation commission in Sierra Leone

5 Constructive dialogue with the Commission and its human rights mechanisms was vital to the credibility of the United Nations, and was especially important when Governments denied the existence of problems or challenged the Commission's authority to consider particular situations The international community must be allowed to address human rights abuses anywhere

6 The promotion of human rights required much more than public expressions of concern, it required concrete measures to build a sustainable human rights capacity His Government was accordingly in the process of establishing a human security fund, namely a US$ 10 million annual programme to help countries monitor national human rights mechanisms Convinced of

the indivisibility of human rights and of the importance of the right to development. Canada would continue to play a leading role in debt relief and poverty reduction for the poorest countries.

7. All too often, people were marginalized from decision-making, denied basic essentials and services, or became targets of hate because they spoke another language, practised a different religion, or had a different sexual orientation. The international community must pay greater attention to groups that were more susceptible to human rights abuses, hence the importance of the forthcoming World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

8. Protection of the rights of the child at the national and international levels was a key priority on his Government's human security agenda. It looked forward in that connection to an early entry into force of the two optional protocols to the Convention on the Rights of the Child. Together with the Foreign Minister of Ghana, he would personally be hosting a conference later that month in Accra to catalyse initiatives on children in armed conflict in West Africa. Canada would also be hosting an international conference on war-affected children in September of the current year.

9. In respect of other areas of concern, his delegation was proud to have been one of the initiators of the Declaration on human rights defenders and he urged the Commission to support the creation of a mechanism to ensure that human rights defenders were defended when prevented from speaking out in defence of others.

10. Although the human rights of women were firmly on the Commission's agenda, there was still a long way to go before they were fully integrated into United Nations policy and practice in every field of endeavour.

11. His Government remained committed to the adoption of a strong and effective declaration on the rights of indigenous people and supported the creation of a permanent forum for indigenous people in the United Nations. In view of its own past neglect of indigenous issues, Canada was addressing its own situation, inter alia, through efforts to strengthen aboriginal governance, to renew partnerships and to support more self-sufficient aboriginal communities.

12. Indeed, the ultimate obligation for respecting human rights rested with the Member States. Frank debate within the Commission required that countries also examine their own national situations. Canadians attached great importance to continued membership in the Commission and were proud of their democratic and human rights institutions, multicultural society and traditions of peace and good governance. No State was perfect, hence the importance of reviewing the progress achieved and identifying the challenges ahead. Such was the role of the Commission.

13. For his own part, he had helped to make human security a cornerstone of Canada's foreign policy. Human security depended on respect for human rights, which called for an active and responsive Commission on Human Rights. His Government remained committed to the objective of serving the needs of "we the peoples".

STATEMENT BY THE MINISTER OF IMMIGRANT ABSORPTION OF ISRAEL

14. Mrs. TAMIR (Israel) said that Israel, which currently had a population of 6 million, had absorbed more than a million people from all over the world in the last 10 years. The forthcoming Passover was a reminder that, in the Jewish tradition, the entry into the land of Israel represented both salvation and personal and political liberation. It was in that tradition that Israel had taken the unusual step of granting automatic citizenship, along with full political and welfare rights, to Jewish immigrants. Under the Law of Return, all Jews and their families who applied for citizenship received equal treatment regardless of age, race, gender, state of health or economic status. Few countries, including ones more affluent than Israel, were prepared to offer such rights to immigrants, particularly to immigrants who were often in dire need.

15. Yet the Law of Return affected not only would-be immigrants but also Israeli citizens. By giving priority to Jews, the Law put Palestinian citizens of Israel in an inferior position. The policy was justified, however, firstly because Israel would acknowledge Palestinians' right to enact a similar law of return whenever the Palestinian state was established, so that the needs of Palestinians' everywhere could be met; and, secondly, because, apart from the Law of Return, Israel aspired to treat all its citizens equally, with no privileges for Jews over non-Jews and equal rights and responsibilities for all.

16. The Middle East was not yet able to transcend the age of nation States, but at least the States concerned could aspire to live in peace with each other, respecting the rights of all their citizens. Israel would not rest until that goal was attained.

SPECIFIC GROUPS AND INDIVIDUALS:

(a) MIGRANT WORKERS

(b) MINORITIES

(c) MASS EXODUSES AND DISPLACED PERSONS

(d) OTHER VULNERABLE GROUPS AND INDIVIDUALS

(agenda item 14) (E/CN.4/2000/76-79, 80 and Add.1, 81, 82, 83 and Add.1 and 2 and 138; E/CN.4/2000/NGO/15, 22, 31, 47 and 58; E/CN.5/2000/3; A/54/303 and 348; E/CN.4/Sub.2/1999/21)

17. Ms. RODRIGUEZ PIZARRO (Special Rapporteur on the human rights of migrants), introducing her first report (E/CN.4/2000/82), said that it was a provisional one based on communications from Governments, previous resolutions, conclusions of the working group of intergovernmental experts on the human rights of migrants, information from networks of non-governmental organizations (NGOs), correspondence with migrants and the documents and correspondence of intergovernmental bodies and agencies of the United Nations system.

18. States, international organizations and civil society had a shared responsibility for the protection of the human rights of migrants. Her mandate necessitated cooperation among the partners at all levels, as well as the active participation of the migrants themselves. The report

touched upon the issue of devising a working definition of a migrant, which would cover migrants in irregular situations, victims of trafficking, and other non-nationals exposed to discrimination.

19. It was a fact that the human rights of migrants were violated throughout the world and States must take steps to empower migrants by giving them the skills and protection they needed. It was also essential that potential migrants be provided with information on migration policies and mechanisms, so that they might be aware of their rights and duties. Migrant women, especially female domestic workers, were particularly susceptible to trafficking and sexual exploitation, as were children.

20. Such considerations were reflected in her plan of action. She proposed a number of country missions as well as the establishment of a documentation centre, which would receive individual communications regarding violations of the human rights of migrants. Ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Their Families should be encouraged and prominence should be given to migrant issues at the forthcoming World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

21. Mr. DENG (Representative of the Secretary-General on internally displaced persons), introducing his report (E/CN.4/2000/83), said that it highlighted the progress made by the international community in addressing the global crisis of internal displacement and underscored the challenges that still remained in respect of the development of an effective and comprehensive system of protection and assistance. Although the gravity of needs might differ between regions, serious denials of protection and assistance were common to all the world's 20 to 25 million internally displaced people. Apart from physical insecurity and persecution, they were typically deprived of adequate shelter, food, safe water, medicine and education.

22. The causes of internal displacement were typically associated with acute crises of national identity which resulted in a vacuum of responsibility. Although some authorities did their best with limited resources, many Governments and non-State actors in conflict situations lacked either the capacity or the political will to assist internally displaced persons. Such persons had nowhere to turn but to the international community. States must meet the minimum standards of responsibility for the security and general welfare of all persons under their jurisdiction, or else risk external scrutiny and involvement.

23. One of the most significant accomplishments of his mandate had been the development of the "Guiding Principles on Internal Displacement". Although not binding, they were based on existing norms of human rights and humanitarian law. He was pleased to report that they had met with wide acceptance from the international community and the Inter-Agency Standing Committee and that they had also aroused interest at the regional level. His office had prepared a Handbook to assist international organizations and NGOs in applying the Principles, as well as a Manual on Field Practice in Internal Displacement.

24. Despite the considerable progress made by the international community in developing collaborative institutional responses to crises, the internally displaced remained in an anomalous situation. His own role, was primarily catalytic, one example being his recent mission to

Burundi to engage in dialogue with the Government on the issue of forced relocation (regroupement), and to urge dismantling of the camps. The mission had made considerable progress towards that objective. At the request of the Emergency Relief Coordinator, he would also be undertaking a mission to Angola as a follow up to her visit. Resources for that purpose were urgently required.

25. Country missions provided the litmus test for the effectiveness of international collaboration in bringing relief to internally displaced persons. Thus far, 16 such missions had been undertaken, and the report also dealt with future missions. Unless such visits resulted in a visible improvement of conditions, however, they only raised hopes which, being dashed, could degenerate into despair and loss of faith in the United Nations and the international community.

26. Mr. LINDQVIST (Special Rapporteur on disability of the Commission for Social Development), presenting his report (E/CN.5/2000/3), said that the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities were being widely used by Governments and NGOs. There had been improvements in policy development in many countries. Yet, for the vast majority of the more than 500 million people in the world with disabilities, living conditions were still bad. That applied particularly to women, children and those with developmental and psychiatric disabilities.

27. In his renewed mandate, he would further develop his proposals for integrating permanent monitoring mechanisms into the Standard Rules, address the shortcomings in the text of the Rules and enhance the involvement of United Nations agencies, inter alia, in their implementation worldwide.

28. With regard to human rights and disability, he thought that the adoption of Commission on Human Rights resolution 1998/31 had been an excellent beginning. The question was how to ensure that the important issues were covered in the various monitoring and reporting processes and indeed whether the existing system was an adequate one. If the system needed developing, he wondered whether it would be best to issue guidelines in the form of general comments, to elaborate additional protocols to the main instruments, or to draft a special convention on the rights of persons with disabilities. The establishment of a post of disability ombudsman in the Office of the High Commissioner for Human Rights (OHCHR) or, alternatively, a temporary position of special rapporteur was also being discussed among the disability organizations.

29. The question of a convention represented a crossroads, and the Commission would need to consider the various options available. At any rate, it was important to continue with a broad debate on disability and human rights, perhaps in the form of a special dialogue at the Commission's fifty-seventh session, or an international conference. Whatever form of action the Commission chose, he was ready to assist.

30. Mr. CYPRIAN (Pakistan) said that his country's Constitution affirmed the individual's freedom to profess and practise his or her religion. Indeed, the Chief Executive of Pakistan had appointed him, a Roman Catholic, Federal Minister for Minorities, thereby demonstrating a commitment to the tolerance taught by Islam and to respect for minority rights. Churches and

religious schools of all denominations were free to operate and all religions were practised openly. The Government gave a high priority to interfaith understanding and the eradication of all forms of discrimination.

31. On the question of Pakistan's Blasphemy Law, he said that its purpose was to preserve harmony by discouraging sacrilege by followers of one faith against the prophets or holy places of another. All the much-publicized cases apparently arising from the Law had proved to be abuses of the Law to settle personal vendettas. His Government had taken administrative measures to eliminate such abuses and no such cases had been reported since it took office.

32. As part of the plan for the devolution of power, seats in elected bodies at various levels were reserved for minority groups and, more specifically, also for women from minority groups. In that way the underprivileged and minorities would be empowered and involved in public life.

33. The Government had organized a Pakistan Convention on Human Rights and Human Dignity, which was to be held shortly in Islamabad. There, a working group made up of representatives of minorities would plan courses of action for the Government in the areas of the protection and promotion of minority rights and welfare. Pakistan was thus working for equal opportunities and a harmonious and tolerant society in which all its citizens could enjoy their rights.

34. Ms. RUBIN (United States of America) said that to exclude people rather than accept their differences was to strip them of their self-respect - to deny them their dignity. Every day, gays and lesbians throughout the world - including the United States - faced discrimination and even death. Nothing in international law justified such persecution. She paid tribute to the Special Rapporteur on extrajudicial, summary or arbitrary executions, who had highlighted violations of the right to life on the basis of sexual orientation.

35. A number of countries deserved recognition for their lead in outlawing such discrimination, from the Nordic countries to South Africa, Ecuador to New Zealand. In the United States, federal civilian employees were protected by Executive Order from discrimination on the basis of sexual orientation, and fear of persecution for sexual orientation had been recognized in some cases as grounds for granting asylum.

36. Dignity should likewise be a consideration in the promotion and protection of the rights of other groups such as older people, children sold into debt bondage or sexual slavery, and women coping with domestic violence. Perhaps the most vulnerable were those with mental disabilities, including the mentally ill, all too often treated as outcasts rather than patients. Mental illness was a medical problem, not a character flaw, and needed to be talked about as openly as other health issues.

37. Mr. FERRER RODRIGUEZ (Cuba) said that discrimination against migrants was one of the worst forms of contemporary racism. It was regrettable that the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families had still not received the 20 ratifications required for it to enter into force. Of even greater concern was the fact that not one of the developed countries which were hosts to tens of millions of migrant workers had signed the Convention.

38. The translation of xenophobic discourse into anti-immigration legislation, particularly in the United States, deserved the opprobrium of the international community. There were 10,000 officials deployed along the southern border of the United States - three times as many as in 1994 - and immigrants were forced to use dangerous desert or mountain crossings. In January 2000 alone, 63 people had died. The repressive nature of those operations was demonstrated by the fact that, in that same month, the Immigration and Naturalization Service had employed more armed agents than any other federal agency.

39. At the same time, a recent United States Government report had revealed that 50,000 women and children a year were taken to the United States to work in conditions of slavery, including sexual slavery. The authorities had not taken action against such trafficking rings, for current legislation was incapable of addressing the problem.

40. Whereas Cuba, in order to ensure safe emigration for those who desired to leave, had signed a number of migration agreements with the United States, the United States itself had in 1996 passed an Act granting immediate legal residence and employment status to any Cuban who arrived on United States soil by any means whatsoever, including illegal or violent means. That Act encouraged trafficking operations from United States territory, yet no traffickers had been brought to book. His Government asked the United States Government to prosecute such traffickers and also to accept Cuba's offer to extradite 60 traffickers detained in Cuba for offences committed mainly on United States territory.

41. Lastly, he called for greater attention to be paid by the international community to the problem of the Roma in the Czech Republic. They had been compelled to seek asylum in increasing numbers in other European countries as a result of a trend towards apartheid-like discrimination.

42. Mr. LOUM (Senegal) said that migrant workers were subject to numerous human rights violations, despite the many initiatives and international instruments designed to protect them. Such initiatives could succeed only if there was a universal desire to recognize the right of migrants to peace, security and dignity. The growing number of female migrant workers and the fact that migrants were more vulnerable to trafficking in persons, prostitution and crime demanded concerted action. The difficulty of finding a universally acceptable definition of the concept of a migrant was no justification for denying the inalienable right of human beings, whether nationals or non-nationals, to a peaceful existence.

43. His Government recognized that each State had the sovereign right to define its own immigration policy but it also believed that the time had come to adopt an approach that would end migrants' marginalization, social exclusion and ill-treatment. The problem must be addressed at the national, regional and international levels and required vigilance, courage and self-sacrifice in the face of racist and xenophobic beliefs. It was to be hoped that the forthcoming World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance would adopt some important decisions on the issue. His own delegation would work tirelessly to promote the ideal of justice, equity and solidarity.

44. Mr. GARCIA GONZALEZ (El Salvador), having noted with satisfaction the appointment of a Special Rapporteur on the human rights of migrants, said that his Government

attached great importance to the issue of migrants and was convinced of the importance of the role played by the international community, particularly the Commission on Human Rights, in the protection and promotion of the human rights of migrants and members of their families.

45. In its programme of work for 1999-2004 entitled the New Alliance, it focused on the need more actively to promote the rights of migrant workers and their families, pursuant to the domestic legislation in force, the relevant international conventions and United Nations system resolutions. Legislation was currently being updated with a view to consolidating all the various factors in a single instrument. Consideration was being given to the possibility of classifying immigrants, with a view to meeting their specific needs and requirements.

46. Steps were being taken to accelerate the process of ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. In February 2000, El Salvador had hosted an international seminar on migrant women and children, which had been attended by representatives of all 11 members of the Puebla Process, NGOs and representatives of civil society. The main aim of the seminar had been to discuss the situation of migrant women and children, in Central America in particular, and possible actions to benefit those social groups. The Government was currently considering the establishment of a department for the defence of emigrant workers' rights, members of which would be assigned to Salvadoran diplomatic missions with a view to assisting Salvadorans resident abroad.

47. Mr. RODRÍGUEZ CEDEÑO (Venezuela), speaking on behalf of the Latin American and Caribbean Group, reminded the Commission of the mandate of the Special Rapporteur on the human rights of migrants, as set out in resolution 1999/44, and the request contained in that resolution to all Governments to cooperate fully with the Special Rapporteur. Migrants were a highly vulnerable group which merited the special attention of the international community and the Commission. The human rights of migrant workers were not guaranteed, and some States had even passed legislation restricting their enjoyment of the most basic rights. International migration was a complex and growing phenomenon involving nearly every country in the world, which would only increase with globalization and open markets. There were currently more than 120 million migrants, some 40 per cent of whom were illegal immigrants. The States in the Group he was representing had extensive experience of migration, and devoted particular attention to the situation and human rights of migrants.

48. The Declaration of the fifth Regional Conference on Migration, within the context of the Puebla Process, had condemned violations of the human rights of migrants, regardless of their immigration status, and reaffirmed the commitment of participants to combat hostile attitudes towards and discrimination and abuse against migrants as well as criminal activity related to traffic in migrants. In July 1999, 11 South American countries had signed the Lima Declaration stating that the rights of migrants were a basic concern of the countries in the region.

49. The countries he was representing were particularly concerned about the issue of family reunification: the situation of migrant workers being severely aggravated when they could not have their family members with them. He appealed to States hosting large numbers of migrant workers to take the steps necessary to guarantee family reunification for migrant workers and

enable them to enjoy the right to be with their families. He hoped that the forthcoming World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance would consider the issue of migration.

50. An important recent development for the region had been the Advisory Opinion of the Interamerican Court of Human Rights confirming the validity and applicability of article 36 of the Vienna Convention on Consular Relations. That Opinion could help to provide improved protection for the human rights of millions of migrants. He appealed to all States, whether or not they were parties to the Vienna Convention, to examine the Court's ruling and to abide by the basic principle it embodied.

51. The Group he represented recognized the efforts made by States that had taken measures to improve the economic, social, cultural and political conditions of migrants. It had also noted with satisfaction the multilateral initiatives designed to protect the human rights of that vulnerable group, including the resolutions adopted by the Commission. It welcomed the first report submitted by the Special Rapporteur on the human rights of migrants (E/CN.4/2000/82), noted her plan of action and recommendations, and was following her work with interest. The Group supported the establishment of a mechanism for the promotion and protection of the human rights of migrants, and hoped that the Commission would adopt a resolution on the subject by consensus.

52. Mr. RODRÍGUEZ CEDEÑO (Venezuela) said that his Government recognized the important and enriching contribution which migrants had made to the country. A large proportion of the population was of immigrant origin, and the different races, nationalities and cultures were well integrated into Venezuelan society. The Constitution guaranteed equal human rights for Venezuelans and the nationals of other countries. Under the new Constitution, dual nationality was permitted in recognition of the links of many citizens with other countries. Further measures were being adopted to promote an even greater integration of migrants and to ease restrictions on visas and work permits for migrants and their families.

53. His Government hoped that other States would treat migrants of Venezuelan origin equally well and was endeavouring to conclude bilateral and regional agreements on the topic. Host countries did not have sole responsibility for the protection of the human rights of migrants. The countries through which a migrant passed on his way to his ultimate destination also had responsibilities. Bilateral, regional and multilateral cooperation, supported by the international community, was therefore essential. He noted with satisfaction, therefore, the Special Rapporteur's intention to focus on cooperation and adopt a holistic approach to the issue.

54. Venezuela subscribed to the principle of international protection for internally displaced persons, which was supported by the international community. It had hosted, and provided all possible humanitarian assistance for, various groups of displaced persons in transit from Colombia. Subsequent to that experience, his Government had attempted to establish flexible and efficient mechanisms to assist such persons. As the United Nations High Commissioner for Refugees (UNHCR) had recognized, his Government had always allowed her representatives to visit border areas used by flows of Colombian displaced persons in transit.

55. Mr. REYES RODRÍGUEZ (Colombia), speaking on a point of order, asked whether it was procedurally correct for the representative of Venezuela to have made a statement on behalf of the Latin American and Caribbean Group and then to have continued immediately with a statement on behalf of his country alone.

56. Mrs. IZE-CHARRIN (Secretary of the Commission) said that two options were available to a delegation speaking on behalf of a group of countries and also on its own behalf: it could request two separate entries on the speakers' list or - as the Venezuelan delegation had done - it could ask that its own statement should follow immediately after the group statement.

57. Mr. GUILLEN BEKER (Peru), having endorsed the statement by the representative of Venezuela on behalf of the Latin American and Caribbean Group, said that, in his report (E/CN.4/2000/83), the Representative of the Secretary-General on internally displaced persons had rightly stated that protecting and assisting persons who remained within the borders of their own State was a sensitive and challenging issue, for which no easy and ready-made international strategies existed. Clearly-defined mechanisms existed for the protection of refugees but there was no comparable legal and institutional regime applicable to the 25 million displaced persons.

58. The formulation of the Guiding Principles on Internal Displacement (E/CN.4/1998/53/Add.2) had therefore been essential. They established that, while primary responsibility for the provision of humanitarian assistance lay with the national authorities, international humanitarian organizations and other appropriate actors had the right to offer their services, offers that should not be regarded as an unfriendly act or an interference in a State's internal affairs, particularly when the authorities concerned were unable or unwilling to provide the required assistance. It was essential that the United Nations should lay down clear guidelines that recognized both the right to provide humanitarian assistance and respected State sovereignty.

59. A number of the issues raised by internal displacement needed special consideration, one of them being that of internal displacement in areas not under the control of a Government. Because human rights legislation applied only to States, internally displaced persons lacked adequate protection in situations involving internal disturbances when human rights violations were committed by non-State agents.

60. A further important issue was the situation of displaced women and children. In his country's experience, a very high percentage of internally displaced persons were women and children who needed special attention. He was gratified by the Special Rapporteur's acknowledgement of the action to improve the situation of displaced persons in Peru, and reaffirmed his delegation's support for the Special Rapporteur's work.

61. Mr. NEGRIN MUÑOZ (Mexico), having associated his delegation with the statement made by the representative of Venezuela on behalf of the Latin American and Caribbean Group, said that, while States had the sovereign right to define their own policies with regard to migrants, they also had an obligation to guarantee to individuals under their jurisdiction the basic rights recognized by the international human rights instruments. His delegation was thus very concerned at the growing number of acts of violence against migrants and the increasing traffic in illegal migrants.

62. He wished to underline three aspects of the mandate of the Special Rapporteur on the human rights of migrants: the duty to request from Governments information on violations of the human rights of migrants, the duty to request and receive information from migrants themselves and the duty to visit countries where the human rights of migrants were at risk. He welcomed the Special Rapporteur's plan of action and recommendations, recognizing that they complemented the aspects of her mandate to which he had already referred, which were also recognized in General Assembly resolution 54/166.

63. His delegation intended to sponsor a draft resolution on the human rights of migrants based on the principles of resolution 1999/44 and incorporating elements of General Assembly resolution 54/166. In response to a request from the Steering Committee of the Global Campaign for Ratification of the International Convention, supported by 51 NGOs, his delegation had incorporated in the draft resolution a paragraph recommending that 18 December should be declared international migrants' day. Such a day would help to increase awareness of the need to promote and protect the rights of that vulnerable group. His delegation would also present a second draft resolution appealing to States to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

64. Mr. LI Baodong (China) said that his was a unified, multi-ethnic country, with 55 ethnic minorities constituting 8.98 per cent of the population. It was government policy to treat all minorities as equals; indeed, minorities had some exclusive rights of their own. The latest sessions of the National People's Congress and the Chinese People's Political Consultative Conference had had a higher proportion of ethnic minorities than existed in the country at large.

65. There were autonomous governments, dealing with economic affairs, education, culture, science and technology, in areas where minorities were concentrated. There were 5 autonomous regions, over 30 autonomous prefectures and 120 autonomous counties. The Chairman or Vice-Chairman of the People's Congress of an autonomous area had to belong to the minority concerned. The autonomous governments were permitted to be flexible in implementing decisions from higher government organs that they deemed inappropriate to their areas.

66. Minority languages had equal status in courts of law. The religious beliefs, customs and languages of minorities were legally protected. The policy of freedom of belief was demonstrated by the fact that there were over 18 million Muslims and over 30,000 mosques in the country; in Xinjiang alone, there were 20,000 mosques and 8.1 million Muslims, or 56.3 per cent of the total population. In Tibet there were 1,700 Buddhist sites and 46,000 resident monks and nuns.

67. Autonomous regions were supported with capital and technology for economic development and social progress. In Tibet, for example, the Government allocated Y3 billion a year. In 1999, the gross domestic product (GDP) of the Tibetan Autonomous Region had amounted to Y10.3 billion, an increase of 9.1 per cent, giving the region a higher than average growth rate.

68. Governments were duty-bound to take steps to ensure the freedom of their ethnic minorities, but different histories and stages of development should be taken into account. While internationally recognized human rights norms should be respected, therefore, States should

adopt the measures appropriate to their countries. The issue of ethnic minorities was always complex and sensitive. States should therefore cooperate with one another. Splitting sovereign States, or embarking on armed intervention in another country on the pretext of aiding ethnic minorities, was quite unacceptable.

69. Instead of politicizing minority rights and employing double standards, the United States of America and Western European countries should put more effort into protecting minority rights in their own countries. In the United States, only 15.3 per cent of whites lived below the poverty line, whereas the corresponding percentages for Mexican Americans and blacks were 45.7 and 42.5. White supremacist organizations opposed blacks, Jews and Asians, there had been terrible killings. Migrant workers' rights were violated in many European countries. They should therefore discard their arrogant and prejudiced attitudes and resolve to take practical measures to defend the rights of their minorities.

70. Mr. GUSEV (Russian Federation) said that the problem of minorities was too acute to be subjected to pious platitudes. Too many humiliations, wars and sufferings had been brought about by lack of respect for other peoples' beliefs or cultures. A range of international instruments, beginning with the Universal Declaration of Human Rights, emphasized that all were born equal in dignity and rights. The Secretary-General's report (E/CN.4/2000/79) and the report of the Working Group on Minorities (E/CN.4/Sub.2/1999/21) showed that real progress had been made in implementing the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. Indeed, the Working Group's own efforts had become a significant element in establishing universally accepted standards for promoting minority rights. Its scope should be extended to educating NGOs on how to protect minority rights. The proposal that the Working Group should inspect countries where there was cause for concern should be implemented.

71. His delegation called for increased international cooperation on minority rights. In Russia, much was being done at the national level, as might be expected in a country comprising over 170 peoples belonging to over 60 religious denominations. The Government had lately been concerned with two related issues: the need to stand up to aggressive nationalism and extremism and, at the same time, to encourage minorities to cultivate their own identity and participate in decision-making. In that context, he drew attention to the adoption two weeks previously of the Federal Programme for the formation of conditions of tolerance and understanding and the prevention of extremism in Russian society and the adoption in January 2000 of the Concept on opposing political and religious extremism.

72. He drew attention to the increasing problems suffered by Russians in nearly all the countries of the former Soviet Union, particularly in Latvia and Estonia. In the former, there was a situation of mass statelessness: in the heart of Europe, almost a million people belonging to ethnic minorities were denied citizenship. At the current rate of naturalization, it would take 50 years to extend citizenship to what amounted to a third of the population. The authorities were clearly unwilling to resolve the problem. Only a week earlier, the Latvian Parliament had rejected a proposal to give non-citizens the right to participate in local government elections, as recommended by international experts. The authorities paid lip service to such

recommendations, but there were no moves towards integration and the Russian-speaking population continued to suffer discrimination. Human rights defenders who drew attention to the situation were persecuted.

73. In Estonia, some improvements had occurred but the situation of minorities - not only Russians - failed to meet international standards, as pointed out not only by local human rights defenders but in the Concluding Observations of the Committee on the Elimination of Racial Discrimination (CERD/C/56/Misc.40/Rev.3). The Committee had noted the effects of not granting citizenship and having up to 10 categories of resident who did not enjoy equal political, social or economic rights. The problem was exacerbated by the parlous situation of Russian-language education. It was also appalling that war pensioners, who had lived in Estonia for the past 40 to 50 years, did not have the right to a regular income, while the situation of widows of members of the armed forces was seen as constituting a threat to the security of the Estonian State.

74. It was surprising that the international community - and especially the European Union, which Estonia and Latvia aspired to join - had failed to react to the dangerous trends in those countries. There seemed to be a reluctance to see the reality for what it was. He hoped that it could not be that Russians were considered second-class people. It was high time that the international organizations explained in simple terms to the authorities in Latvia and Estonia that human rights must be observed.

75. Mr. MAJDI (Morocco) said that post-war immigration had started because of a labour shortage in Europe and had increased in tandem with economic growth and decolonization. The authorities had had an open-door policy, since immigrant workers benefited the labour market and relieved social pressures. That policy had, however, ended in the 1970s and immigrants had then been encouraged to return home and accused of being responsible for all the ills in their adopted societies. The issue had been taken up by some right-wing parties, which sought to feed the prejudices of the electorate. Such attitudes had led to acts of aggression against innocent people. Aggressors even felt that, in abusing an immigrant, they were performing a civic duty. As often as not, the authorities turned a blind eye.

76. It required only one isolated act by an immigrant - or one attributed to him - to set off a wave of hatred against a whole community. In February 2000, for example, a mentally unbalanced person of Moroccan origin had, most regrettably, killed a Spanish woman. That had sparked off three days of violence in several towns in southern Spain directed against immigrants from Morocco and other African countries by crowds shouting racist slogans and destroying foreign cars and shops. The Spanish Government had condemned the incident and undertaken to put an end to the social and occupational exclusion of Moroccan workers. His Government trusted that it would stand by its commitments and ensure that the Moroccan community was not again made the scapegoat for domestic political difficulties.

77. Despite useful measures taken in some receiving countries, there was still legal, social and political inequality. Xenophobia and racism continued to increase and discrimination persisted. Various liberal resolutions and recommendations of the European Parliament had not been implemented, while a number of repressive provisions on immigration had been adopted.

The entry into force of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families seemed farther away than ever. He urged States to adopt a more positive approach to the matter.

78. Mr. FERRER (Philippines) said that many of the 6 million Filipinos living in almost all the countries of the world had been subjected to violations of their human rights. Some had salaries delayed or withheld. Some were subjected to physical, mental or emotional abuse. Some were asked to do work not mentioned in their contracts. Some were forced to surrender their passports to their employers. Some were sold into slavery or killed or persecuted for their religious beliefs. His country thus had a strong stake in the implementation of the relevant protection measures and called upon all States to ratify or accede to the Convention. His delegation welcomed the first report of the Special Rapporteur on the human rights of migrants (E/CN.4/2000/82) and the Secretary-General's report (E/CN.4/2000/76). His delegation would again be introducing the draft resolution on violence against women migrant workers and sponsoring the draft resolution on the human rights of migrants.

79. Migration was a factor in the incidence of trafficking in persons. There was thus a need to coordinate and even integrate efforts within the United Nations system to prevent the operation of syndicates and transnational organized crime. The machinery for such coordination existed. There should also, however, be an integrated approach at the national, regional and international levels. His Government was carrying out with vigour its mandate under the 1995 Migrant Workers and Filipinos Overseas Act. An office within the Department of Foreign Affairs monitored the situation of, provided legal assistance to and promoted the welfare of Filipino workers worldwide. His delegation had also participated in international symposia and consultations on migration. At the International Migration Policy and Law Course, Philippines interests on issues relating to migration as a global phenomenon had been pursued. Urgent means must be found to strengthen the protection mechanisms accorded to persons working abroad.

80. Mr. GRIBBEN (United States of America) said that there were upwards of 4 million internally displaced persons in the Sudan, more than in any other country of the world. Of those, 40 per cent lived around Khartoum. Although there had been a remarkable improvement in the camps there over the past four years, the number of displaced persons in the country continued to rise. Adding to the numbers were the thousands of residents forcibly removed by the Government from a 50-km area on either side of the pipeline running from the southern Sudan to the Red Sea.

81. The fate of those internally displaced persons - as of those in the Congo, Kosovo, Indonesia and the Caucasus region of Russia - was a source of considerable concern to his Government. Their human rights should be addressed by the United Nations and the international community. One way to do so would be to adopt the recommendations of the Secretary-General's Representative on internally displaced persons, (E/CN.4/2000/83 and Add.1-3).

82. The Commission should also focus on the human rights violations that had caused destruction and disruption within the Sudan. As United States Special Envoy to the Sudan, in meetings with the President, the Minister for Foreign Affairs and several high-level officials, he

had requested that the Government should halt its indiscriminate bombing in the south. On each occasion, he had been told that the targets were military. So far there had been no confirmation that any military targets had been hit. Many civilians, however, had been killed and terrorized. One town in southern Sudan, Lui, had been bombed on four separate occasions in March 2000 alone and once its hospital had been bombed. That could be no accident. In another case 14 children had been killed by a bomb on a school in the Nuba mountains. Yet, despite an apology by the Permanent Representative of the Sudan in Geneva, the bombing continued.

83. To its credit, the Government had established a Committee on the Eradication of the Abduction of Women and Children. Although 800 seized people had been identified, those responsible had not been prosecuted and so there was no deterrent against continuing the practice. The High Commissioner for Human Rights and the Special Rapporteur on the situation of human rights in the Sudan had both noted that slavery persisted.

84. His Government called on the Government of the Sudan to halt immediately and unconditionally all aerial bombardments in the south of the country. As an initial step, he urged the Government to suspend its bombing campaign during the Easter week celebrations, when large crowds were expected to gather. Such a gesture would avoid a potentially significant loss of life among the country's ethnic, religious and linguistic minorities.

85. Mr. GOPINATHAN (India) said that, to make a nation cohesive, the integration of all groups in society was essential. Special attention should therefore be paid to all vulnerable sections of society, particularly minorities. Understanding was needed more than ever before. Concerted action should be taken to promote a culture of tolerance, both nationally and internationally, which was best done through dialogue and empathy. The recrudescence of various forms of bigotry and hatred, aggressive nationalism and narrow chauvinism, was worrying. They carried with them the danger of alienation, leading to militancy and violence.

86. The appropriate response was to be found within a democratic framework, which allowed the establishment of firm foundations of equality and non-discrimination. As an adjunct, a culture of human rights and respect for pluralism should be promoted. Those values should be given a prominent place in the OHCHR work programme and the relevant Commission mechanisms. His delegation was sponsoring a draft resolution entitled "Tolerance and pluralism as indivisible elements in the promotion and protection of human rights" and hoped that it would command overwhelming support.

87. He commended the work of the Working Group on Minorities, which had established itself as a serious forum for the analysis and consideration of constructive solutions to the problems of minorities.

88. There was no single, universally applicable definition of minorities. Linguistic groups, for example, encompassed all segments of society in a particular region, cutting across ethnicities and religions. In India, therefore, minorities were defined principally along religious lines. The Constitution guaranteed freedom of religion and equality of opportunity. All religious denominations enjoyed the right to establish institutions for religious and charitable purposes and to own property. At the same time, in keeping with its secular nature, the Constitution provided that no religious instruction should be provided in any educational

institution wholly maintained out of State funds and that no person attending an educational institution recognized by the State could be compelled to take part in religious instruction without his or her consent.

89. Linguistic minorities, too, had protection under the Constitution and all minorities had the right to educational institutions of their own. The Minorities Commission evaluated development activities in relation to minorities, monitored the workings of the Constitution and examined specific complaints regarding deprivation of the rights of minorities.

90. Nonetheless, isolated incidents involving violence against members of minority communities did, regrettably, occur, although they were generally revealed to be the handiwork of criminal and fringe elements. The Government had repeatedly made clear that it would not tolerate such incidents.

91. There was a growing sentiment that the problem of internally displaced persons was a global issue, affecting a large number of people. The primary duty of protecting such persons belonged to the State concerned. International action should remain within the bounds of the concept of sovereignty, which should not be diluted. Internally displaced persons who lacked legal or institutional protection were found only in countries where there was no effective State machinery. The guiding principles on internally displaced persons were not legally binding but could serve as useful guidelines for States.

92. Within countries, the law of the land should prevail, what was important was to ensure that the law contained a high level of protection for the human rights of all. As for displacement occurring as a result of developmental projects, such decisions were made in democratic societies by the elected representatives of the people. External agencies had no role to play.

93. Mr. RAMLAWI (Observer for Palestine), speaking in exercise of the right of reply, said that the Minister of Immigrant Absorption of Israel had referred to the "right of return" which allowed any Jew, from any part of the world, to enter Israel and be granted citizenship. It was, in other words, an ethnic law, based solely on the Jewish religion. By the same token, however, it prevented Palestinians returning to their homes and recovering property confiscated by the occupying forces of Israel, although that ran counter to international law and the Geneva Conventions. The Minister had been guilty of misrepresentation. Members should read the text of the Law in order to see how it discriminated against Palestinians.

The meeting rose at 1.05 p.m.

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Fifty-sixth session

SUMMARY RECORD OF THE 46th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 13 April 2000 at 3 p.m.

Chairman: Mr. SIMKHADA (Nepal)
later: Mr. IBRAHIM (Sudan)

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GE.00-12986 (EXT)

The meeting was called to order at 3.10 p.m.

CONSIDERATION OF DRAFT RESOLUTION SUBMITTED UNDER AGENDA ITEM 7.

Draft resolution E/CN.4/2000/L.14 (The Right to development)

1. Mr. MONTWEDI (South Africa), introducing the draft resolution on behalf of the members of the Non-Aligned Movement and China, recalled that the implementation of the right to development had caused problems at the Commission's previous session, but that meaningful progress had since been made. The unanimous confirmation of Mr. Deubri, Ambassador of Algeria as the Chairman of the Working Group on the Right to Development augured well for future progress in the Working Group, as did the consensus reached on the need for it to convene in of two sessions before the Commission's fifty-seventh session.

2. The sponsors of draft resolution L.14 had retained the text adopted the previous year and had merely added three paragraphs of a procedural nature. He read out a number of editorial changes to paragraph 2 of the draft. In the first line, the words "the fiftieth anniversary" should be replaced by "the passage of more than 50 years since the adoption". In the second line, the words "provided an important opportunity" should be replaced by "demands that we strengthen efforts to". The paragraph would accordingly read: "Recognizes that the passage of more than 50 years since the adoption of the Universal Declaration of Human Rights demands that we strengthen efforts to place all human rights - and, in this context, the right to development in particular - at the top of the global agenda;".

3. Speaking on behalf of the members of the Non-Aligned Movement and China and of the other sponsors, he expressed the hope that the draft would be adopted by consensus.

4. Mrs. IZE-CHARRIN (Secretary of the Commission) announced that France, Uruguay, El Salvador, Portugal, Liechtenstein, Switzerland, Denmark, Greece, Costa Rica, the Dominican Republic, New Zealand, the Former Yugoslav Republic of Macedonia, Australia, Norway, Spain, Finland, Ireland, Belgium, Japan, Burundi and Canada had become sponsors of the draft resolution.

5. The CHAIRMAN said that, if he heard no objection, he would take it that the Commission wished to adopt draft resolution E/CN.4/2000/L.14 without a vote.

6. It was so decided.

7. Draft resolution E/CN.4/2000/L.14 was adopted without a vote.

SPECIFIC GROUPS AND INDIVIDUALS:

(a) MIGRANT WORKERS

(b) MINORITIES

(c) MASS EXODUSES AND DISPLACED PERSONS

(d) OTHER VULNERABLE GROUPS AND INDIVIDUALS

(Agenda item 14) (continued) (E/CN.4/2000/76-79, 80 and Add.1, 81, 82, 83 and Add.1 and 2 and 138; E/CN.4/2000/NGO/15, 22, 31, 47 and 58; E/CN.5/2000/3; A/54/303 and 348; E/CN.4/Sub.2/1999/21)

8. Mr. MAXIM (Observer for Romania) said that his country was located in the vicinity of the "powder keg" of the Balkans, a region which for a decade or so had been the scene of one of the most terrible humanitarian disasters since the Second World War in terms of victims, human displacement and human rights abuses. The international community had reacted and was still searching for long-term solutions that would put an end to ethnic and religious violence. His country had listened very carefully to the statement by Mr. Dinstbier, the Special Rapporteur on the situation of human rights in the region. It was true that in order to defuse tensions and achieve a long-term solution, it was necessary, among other things, to adopt multilateral measures and encourage the peoples of the region to open up, accept dialogue and recognize each other's basic human rights. Concrete action was also needed at the grass-roots level. Communities had to understand that if democratic rules were respected, day-to-day life would improve. Otherwise, efforts to improve the region would be seriously damaged, giving way to confusion and disappointment and creating favourable ground for dictatorship, human rights abuses and political and social unrest. That was why his country was making a strong appeal to the international community to back all initiatives aimed at the realization of democratic standards and values in the region.

9. The issue of the rights of persons belonging to national minorities had particular resonance in central and eastern Europe, where preserving the national identity had often been accompanied by a lack of understanding between majority and minority populations, the first fearing for the cohesion of the State and the second preferring isolation to cooperation. In that turbulent context, Romania had done its utmost to improve the protection of the rights of persons belonging to national, ethnic, linguistic and religious groups in its territory. It had rapidly acceded to the major international and regional human rights instruments and had been the first country to sign the Framework Convention for the Protection of National Minorities adopted by the Council of Europe. It had concluded treaties with neighbouring countries defining the conditions for bilateral cooperation to preserve the identity of persons belonging to national minorities and had taken important steps at the national level to facilitate the participation of minorities in political, economic and social life. It had set up the Department for Protection of National Minorities, headed by an ethnic Hungarian, which was responsible for elaborating draft legislation to benefit minorities and supervising the implementation of national and international standards on minorities. The legal framework for such activities was constantly being improved. The Constitution guaranteed ethnic organizations access to positions in the State legislature. Such organizations now held more than 10 per cent of the total number of seats in Parliament, in which not only Hungarians but also members of the Roma people were represented. The law on education had been amended to enable persons belonging to national minorities to be taught in their mother tongue, including at the higher educational level. Romania was in the vanguard in that area, being one of the very few countries to have adopted such measures. The most recent of which was establishment of the multicultural university in Cluj-Napoca with the support of the High Commissioner on National Minorities of the Organization for Security and Cooperation in Europe (OSCE). Other measures related to the restitution to persons belonging to national minorities and religious denominations of property confiscated under the communist regime, the use of languages other than Romanian in public administration and the use of bilingual inscriptions.

10. Mr. CASTRILLÓN (Ecuador) said he welcomed the submission of the first report by the Special Rapporteur on the human rights of migrants, which contained recommendations for the elaboration of strategies to solve the problems of migrants and their families.

11. For decades, like other countries in Latin America, Ecuador had been letting in numerous immigrants who were often extremely poor or fleeing persecution. Today, however, Latin America was caught up in the dynamics of globalization, causing the displacement of production components, particularly labour. Many Ecuadorians had emigrated for economic reasons to North America and Europe, where they were helping to fuel the economic progress of their adoptive countries. Ecuador protected its nationals who had emigrated by applying its legislation and the international instruments to which it was a party, particularly those dealing with human rights. Migrants, including undocumented ones, enjoyed the same rights as everyone else. Since they were often in a vulnerable situation, they actually needed greater legal and administrative protection. The Ecuadorian Government had, however, received complaints of ill-treatment or discriminatory acts in international ports and airports, abuses in the areas of labour and housing and problems relating to family reunification and the exercise of paternal authority. It called for the rights of migrants to be taken into account in the adoption of administrative provisions and the implementation of regulations on immigration. It firmly denounced the xenophobia to which migrants were subjected abroad and called on the international community and individual States to take steps to combat prejudice and intolerance. Accordingly, it welcomed the intention of the Special Rapporteur to contribute to the work of the upcoming World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance as well as her participation in the activities carried out by the United Nations in the context of the Third Decade to Combat Racism and Racial Discrimination.

12. His country would vote in favour of the draft resolution in support of the work done by the Special Rapporteur and encouraged the United Nations High Commissioner for Human Rights to do everything possible to facilitate the success of her mission. Ecuador would also sponsor the draft resolution calling on States to ratify the International Convention on the Protection of the Human Rights of All Migrant Workers and Members of Their Families and appealed to the Commission to support the passage of those very important proposals.

13. Mr. DESPOUY (Argentina) said that migration was not really a voluntary act but was linked to social and economic factors. It had a significant impact on the family and often resulted in separation and culture shock. Migrants frequently suffered the loss of emotional ties and material goods, which made their integration into a new society all the more difficult.

14. Like other countries, Argentina had always been favourable to taking in immigrants, an act which was facilitated by its Constitution and generous provisions on nationality. It had always believed that migrants were a vulnerable group that faced many problems: racism, xenophobia, discrimination, ill-treatment, legal uncertainty and, often, the violation of their economic, social and cultural rights by the receiving country. It therefore welcomed the report of the Special Rapporteur, and in particular, supported her recommendation on including the protection of migrants in the preparatory work for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. The Commission should call strongly for the implementation of the Vienna Declaration and Programme of Action, which contained provisions relating to migrants. The treaties concluded by Argentina with Peru and Bolivia considerably improved the situation of migrants from those countries in Argentina, which frequently adopted measures to regularize the situation of undocumented migrants.

15. In conclusion, he paid a tribute to the Special Rapporteur of the Commission for Social Development, Mr. Lindquist, for his work on the follow-up to the implementation of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities. A Convention must be drafted on that subject and, in that connection, the establishment of a working group could be useful.

16. Mr. HELLE (International Committee of the Red Cross) thanked the Representative of the Secretary-General on internally displaced persons for the work he had done to enhance awareness and provide clarification. He hoped that the deliberations on how better to meet the immense needs for assistance and protection of internally displaced persons would result in more predictable, effective and mutually complementary cooperation among all the organizations concerned.

17. The ICRC considered it important that the role of the organizations be defined as clearly as possible and had recently issued a paper outlining its involvement with internally displaced persons affected by armed conflict. It sought to give priority to assisting those in most urgent need, in accordance with the principal of impartiality. An internally displaced person was first and foremost a civilian, and as such was protected by international humanitarian law. It was important to underline the fact that internally displaced persons remained entitled to the protection provided by international human rights law, humanitarian law and domestic law. The ICRC sought to establish a dialogue with all parties to conflicts with a view to making them fulfil their legal obligations and ease the plight of victims under their control. It was important that the ICRC's cooperation with other organizations should not jeopardize its reputation as a neutral, impartial and independent organization.

18. Nevertheless, lack of security and denial of access often made it difficult for humanitarian organizations to apply humanitarian law. They accordingly needed the assistance of States. The ICRC welcomed the increased attention given to the problem, notably in the Security Council, but more must be done. States must not only respect but also enforce international humanitarian law; wherever necessary, they should seek to influence the authorities concerned so that civilians were protected against abuse and spared from military operations, and the role of humanitarian workers was properly understood and accepted.

19. Mr. KAVADZE (Observer for Georgia) said he wished to draw the Commission's attention to the problem of Abkhazia, a Georgian province now in the hands of separatists, and in particular to the fate of the thousands of Georgians now in the Gali district. After having been driven out, those Georgians had returned to their homeland and were now being subjected to persecution and constant pressure by separatist paramilitary groups and the Abkhazian militia, which were doing everything possible to make them leave for good. The Georgian Government fully supported the efforts being made by various United Nations bodies to maintain peace and protect human rights in the region. The memorandum of understanding signed by the Office of the High Commissioner for Human Rights and the Department of Peace Keeping Operations was an extremely useful measure. Taking due account of that memorandum, it would be advisable to organize joint activities by the Collective Peacekeeping Forces of the Commonwealth of Independent States (CIS), the United Nations Observer Mission in Georgia and the United Nations/OSCE Field Office in Sokhumi in order to monitor the human rights situation in the region.

20. His delegation fully supported the initiative of the United Nations High Commissioner for Human Rights for the creation of a rapid reaction force that could be quickly deployed in urgent situations to protect population groups in danger of being subjected to genocide and ethnic cleansing. He also believed that an international criminal tribunal should be established to investigate and bring to justice all those responsible for mass killings, genocide and ethnic cleansing.

21. Mr. LAKATOS (Observer for Hungary), speaking on agenda item 14(b) (Minorities), welcomed the increasing participation of NGOs and representatives of minorities in the work of the Working Group on Minorities, although his delegation believed that Governments should play a more active role at the sessions of the Working Group. Prevention, which could avoid internal tensions and the outbreak of armed conflicts, was the most effective form of protection for minorities in danger. The

rights of national minorities should, moreover, be taken into account in post-conflict peace building and democracy building. Noting that the Stability Pact for south-eastern Europe placed special emphasis on the protection of minorities, his delegation encouraged the Working Group to seek ways of cooperating with Stability Pact mechanisms.

22. His delegation attached great importance to the conclusions and recommendations of the two expert seminars organized by the Working Group in Flensburg, Germany, and Montreal, Canada. The seminars had stressed the importance of participation by minorities in political life and the need to reflect in educational curricula the history and culture of all the groups within the society, the participation of all groups in political life and educational programmes, the teaching of the mother tongue and the role of reconciliation processes through education. The seminar organized in Geneva on the autonomy of the Åland Islands had clearly shown that the rule of law was a precondition for finding sustainable solutions to the problems involving minorities.

23. His Government, which currently held the chairmanship of the Central European Initiative for the Protection of Minority Rights, had proposed a joint meeting between the Working Group on Minorities set up by the Initiative and the Subcommission Working Group and looked forward to a fruitful exchange of views.

24. Mr. ANN Hee Kyet (Observer for Singapore), speaking on agenda item 14(a) (Human rights of migrants), expressed support for the efforts to protect the civil and social rights of migrants. In Singapore all migrants had the same right to the protection of the law as citizens did. Each State should, however, retain control of its own immigration policy, which was based on various factors, such as the size of the country, population growth, labour market needs and social order. The acquisition of long-term residence or citizenship for migrants and their families could not be automatic. A clear distinction should also be drawn between legal and illegal migrants. Although illegal migrants should have the right to equality before the law and access to due legal process, their rights were necessarily subject to certain limitations.

25. Nonetheless, much could be done at the international level toprotect migrants, including illegal migrants and in particular women and children, against exploitation and human rights violations. Extra efforts should be made to stem illegal migration and human trafficking, particularly at source. In that respect, there was a need for greater cooperation between sending and receiving States with regard to tracking illegal migration, punishing human traffickers, raising international awareness of the issue and facilitating the orderly return of illegal migrants.

26. Ms. BOYKO (Observer for Ukraine) said that her country, in which there lived the representatives of almost 110 nationalities, had always been committed to ensuring harmonious relations both among minorities and between them and the majority population. All discrimination was forbidden and minority rights were protected through the inclusion in bilateral treaties concluded by Ukraine of articles in conformity with the provisions of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. In Ukraine all nationalities had the right to *preserve their symbols*, observe their holidays, participate in the traditional rituals of their peoples and profess their religion. It could not, unfortunately, be said that the same was true in all the countries where ethnic Ukrainians resided. Her delegation strongly supported the Commission recommendation that the human rights treaty bodies, when considering reports submitted by States parties, should give particular attention to the implementation of articles relating to minority rights.

27. With regard to internal displacement, States bore the primary responsibility for preventing of such displacement, providing of protection and assistance to internally displaced people and remedying

the causes of the situation. One of the migration policy priorities in Ukraine was the return of Crimean Tatars and representatives of other nationalities deported under the totalitarian regime and their resettlement in their ancestral lands. The Council of Crimean Tatar Nation Representatives had been established with a view to facilitating the return of Crimean Tatars and addressing the problems relating to their reintegration in Ukrainian society. Ukraine was grateful to various international organizations, particularly the United Nations High Commissioner for Refugees, the International Organization for Migration and the OSCE, for their assistance in that regard.

28. In relation to agenda item 14(d) (Other vulnerable groups and individuals), her delegation wished to inform the Commission that the Ukrainian delegation to the Security Council had put forward an initiative to convene a special session of the General Assembly that would elaborate a new strategy to strengthen international cooperation in combating AIDS.

29. Ms. von HEIDENSTAM (Observer for Sweden), speaking on behalf of the Nordic countries, addressed agenda item 14(d) (Other vulnerable groups and individuals), and more specifically the issue of persons with disabilities, who were particularly exposed to discrimination. It was not enough to state that persons with disabilities had the same rights as other people; that equality should be ensured by giving them equal opportunities, which meant, above all, enabling them to participate actively in society and contribute to the community, rather than seeing them as a burden. All socially determined barriers preventing such participation should therefore be eliminated. The State should not decide how persons with disability should live, but it should respect their dignity, while giving each individual the opportunity to make his or her own choice.

30. An estimated 80 per cent of the world's disabled people lived in developing countries. Most were very poor and lacked any services. Despite economic and other constraints, Governments should take persons with disabilities into account in their policies. A Nordic conference would be held in Denmark in November 2000 in order to examine ways of strengthening bilateral and multilateral development cooperation to help persons with disabilities. The particular problems faced by disabled women and girls, who often needed to be protected from violence, not least sexual violence, should be recognized and taken into account. The Nordic Governments welcomed the fact that the Commission on the Status of Women had included the disability dimension in its work. Children with disabilities were also particularly exposed to discrimination and marginalization.

31. The Standard Rules on the Equalization of Opportunities for Persons with Disabilities had been and continued to be an extremely useful tool for Governments. They had resulted in increased cooperation between Governments and international and non-governmental organizations, as well as raising awareness of issues concerning persons with disabilities. The adoption of Commission resolution 1998/31 on the human rights of persons with disabilities 1998 had been a step in the right direction. The way forward was to ensure that the issue of discrimination against persons with disabilities was even more scrupulously taken into account by the whole United Nations system.

32. Ms. MILLER (United Nations Children's Fund (UNICEF)) paid tribute to the Representative of the Secretary-General, Mr. Francis Deng, for his work on internal displacement.

33. Through its field presence, UNICEF worked in more 40 countries in partnership with children and women displaced owing to armed conflict and natural disasters. For example, in the southern Sudan, UNICEF provided assistance to 350,000 children, many of whom had been displaced several times during the course of the conflict. Over the past year, "days of tranquillity" had been organized in Afghanistan, Angola, the Democratic Republic of the Congo, East Timor, Sierra Leone, Sri Lanka and the Sudan to immunize children against polio. By protecting the rights of displaced children and

women, UNICEF looked to encourage the interested parties to consider their future. Such initiatives might lay the foundations for the peace process.

34. UNICEF applauded the increased focus on internal displacement over recent years. Indeed, it promoted the Guiding Principles on Internal Displacement among its field staff and partners. It had actively participated in the efforts of the Inter-Agency Standing Committee on Emergencies and had worked with other organizations and NGOs to develop the policy on the protection of internally displaced persons and supplementary guidance for resident coordinators. Lastly, UNICEF encouraged the Representative of the Secretary-General to continue his efforts to study the extent to which internal displacement situations had been taken into account by the consolidated appeals process.

35. UNICEF considered that a subregional approach to dealing with crises of internal and external displacement was needed. In other words, resources should be targeted where they were needed most, whether for internally displaced persons, refugees or the local population. The members of the Inter-Agency Standing Committee on Emergencies were redoubling their efforts in the current year to find solutions to crises of internal displacement. UNICEF hoped that the members of the Commission would support such activities so that it would be possible to have unimpeded access to internally displaced populations.

36. Mr. MAC AODHA (Observer for Ireland) thanked Mr. Lindqvist, the Special Rapporteur on Disability of the Commission for Social Development, for his statement. His observations and conclusions on the second period of monitoring the implementation of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities had been of great interest. It was a welcome development that disability issues were currently approached in a human rights context and no longer exclusively in a social welfare context. It was also worth recalling the continued isolation and exclusion of persons with disabilities in societies around the world. The Special Rapporteur had highlighted, in particular, the fact that women and children with disabilities were especially exposed to discrimination, despite efforts to improve their living conditions.

37. The problems encountered by people with disabilities should be tackled with the same tools as in other situations of human rights violations: sound legislation at national level backed by adequate funding, international standard-setting, application of benchmarks and guaranteed monitoring by international bodies.

38. The Standard Rules had, since their adoption in 1993, contributed to the positive developments in disabilities issues policies. However, since they had no binding force, the rules were not always fully applied. The idea of a convention on the rights of persons with disabilities, which had already been put forward by NGOs, among others, in Beijing, had begun to make some headway. The Organization of American States had adopted the Inter-American convention on the Elimination of All forms of Discrimination for Reasons of Disability. It was therefore high time to envisage adopting a world convention dealing with the issue, as suggested by the Special Rapporteur, who had also rightly highlighted the necessity of ensuring that the disability dimension was included in the work of the treaty monitoring bodies.

39. It was essential that people with reduced physical mobility should be able to gain easy access to all public service buildings. His Government had recently introduced proposals to make all new houses visitable by people with disabilities. It had also set up several bodies with special responsibility for issues relating to persons with disabilities.

40. His delegation intended to submit a draft resolution on the human rights of disabled persons, which it hoped would be adopted by consensus.

41. Mr. DRAGANOV (Observer for Bulgaria), speaking about the issue of minorities, with the focus on the Roma population, said that no country in Europe had achieved the full social integration of the Roma. Very often their traditional way of life was used as an excuse for not doing enough for them.

42. Three years previously, the Bulgarian Government had created a National Council on Ethnic and Demographic Issues, as a body for consultation, cooperation and coordination between State institutions and NGOs. In 1998 the Council had developed a framework programme for the reintegration of the Roma population into society. A principal objective of the programme was to enable the Roma to participate actively in the decision-making process and in governance at local, regional and national levels. The programme covered the following topics: discrimination, media, social policy, housing, education, health care, culture and economy. The first steps towards implementing the programme had already been taken, both at the national level, with representatives of the Roma being employed in government ministries and, at the regional and municipal levels, with the appointment of experts to coordinate on ethnic and demographic issues in regional administrations.

43. Government projects relating to the reintegration of the Roma received more and more international support. The National Council on Ethnic and Demographic Issues had recently developed a project that had been awarded €500,000 from the PHARE Programme. The project focused on three areas: education, reconstruction of Roma neighbourhoods and training and promotion of employment of Roma in the police force. A World Bank grant amounting to US$ 500,000, currently awaiting approval, would be directed towards strengthening national, regional and municipal institutions dealing with ethnic issues and towards training experts of Roma origin in administration skills. A number of bilateral programmes with various European countries strongly emphasized the more active participation of the Roma in economic and social life.

44. His Government had ratified the major international instruments relating to minority rights, including the International Convention on the Elimination of All Forms of Racial Discrimination and the Council of Europe Framework Convention for the Protection of National Minorities. His delegation was, however, perfectly aware that deeds spoke louder than words and that only the implementation of results-orientated government policies would bring Bulgaria into line with the highest standards. That objective remained a priority for the Bulgarian Government, which had recently embarked on negotiations with a view to acceding to the European Union.

45. Mr. SUNGAR (Observer for Turkey), speaking on agenda item 14 (a), said that migrant workers, numbering millions of people in the developed world, lived with no protection. Some 2.7 million Turks currently lived in Western Europe, more than half of them constituting the third generation. Although the overwhelming majority did not intend to return to Turkey, they were denied full participation in the political life of their societies. Treated as foreigners and lacking equal opportunities in employment, education and housing, they quickly turned into outcasts, exposed to discrimination, xenophobia and violence. Many lived under the constant threat of harassment, if not murder or arson. Many Turkish workers living in western European countries had lost their lives to such acts of violence.

46. His delegation believed that the solution to such problems was integration rather than assimilation. An important element was that migrants should be granted the right to vote and to stand for local elections. They should also have the opportunity of holding dual citizenship.

47. His delegation fully supported the work of the Special Rapporteur on the human rights of migrants and trusted that it would be taken into account in preparations for the forthcoming World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

48. Mr. PENROD (Observer for Costa Rica), speaking on the question of migrant workers, welcomed the fact that the Special Rapporteur, Ms. Rodríguez Pizarro, had examined the situation of the growing numbers of migrant women and had formulated a number of recommendations with a view to ensuring better protection of migrants. That protection needed to address the entire process of migration, viewed as a whole. In other words, it should consider both the reasons that compelled individuals to leave their countries of origin and also what conditions would enable them to return. Consequently, consideration must be given to means of preventing exoduses.

49. More often than not, migrants left their homes in search of better living conditions. Yet everyone should have the right not to emigrate, or, in other words, to enjoy a decent standard of living in his or her own country. Individuals who emigrated rendered themselves vulnerable, particularly when they did so illegally; for transboundary trafficking in persons entailed many risks and constituted a form of exploitation of human beings. The question should also be treated at international and regional levels, given that criminal organizations were implicated in such operations.

50. Over the past 20 years Costa Rica had become a migrant-receiving country. Clandestine migration of persons seeking work had compelled the Government to take decisions on the matter. It had adopted a policy of assimilating migrants while respecting their fundamental rights, and of extending protection to them and particularly to women and children. At the legal level, migrants from Central America had the right to decide between temporary or permanent resident status. Currently, 15 per cent of the Costa Rican population were immigrants. They were able to work on an equal footing with Costa Rican nationals. They were entitled to social security and had access to health care free of charge, even when not documented. Similarly, the children of migrants were admitted to Costa Rican schools, where education was free of charge. The Government had also decided to legalize the status of those who had entered the country without documentation in the first half of 1999, when hurricane Mitch had led to massive immigration. That exceptional regime had benefited hundreds of thousands of refugees, most of them from Nicaragua. The regularization of their status meant that migrants had the right to reside legally in Costa Rica and to work there on an equal footing with Costa Ricans. The Government had also established a commission responsible for ensuring implementation of the policy of integration of the migrant population in the social, cultural and employment spheres.

51. Mr. BERTELLO (Observer for the Holy See), referring to the report by Ms. Rodríguez Pizarro on the question of migrant workers, noted that, although in the past migration had been regarded as a motor of economic and social development, nowadays the supply of foreign manpower in the developed countries often exceeded demand. Moreover, the growing disparity between those countries and the developing countries exacerbated migratory pressures, at the very time when the Governments of the industrialized countries were tightening their legislation on entry of foreign workers and intensifying border controls. Furthermore, large sections of the public in the receiving countries felt invaded and threatened by those immigrants - a feeling sometimes compounded by xenophobia and racial prejudice - and tried to turn them into scapegoats. In the face of that complex situation, which particularly affected a growing number of women emigrants, the Special Rapporteur recommended a change of approach in the formulation of immigration policies. Inter alia, she recommended ensuring equal treatment for women in the areas of remuneration, working conditions and safety at work, and the introduction of appropriate measures to facilitate the integration of women migrants in society. Nor should it be forgotten that there were a number of dubious organizations that encouraged young women to emigrate illegally by giving them unrealistic hopes as to their chances of success.

52. The difficulties facing emigrants were felt particularly keenly by children, who had the impression that they were rejected by the society in which they lived. In that regard, the Special Rapporteur rightly placed emphasis on the situation of children who were compelled to work in order to assist their parents or lived on the streets in utter poverty.

53. Throughout its history the Roman Catholic Church had striven to assist migrants, without discrimination on the basis of nationality, religion or social class; for it was incumbent on Christians to shoulder their responsibilities in that regard unequivocally and resolutely. Mere denunciation of the negative aspects of migrants was not enough. Migrants must be helped to surmount their difficulties and to become integrated in the countries which they had chosen to live.

54. Ms. AREZES (International Organization for Migration - IOM) said that the report of the Special Rapporteur on the Human Rights of Migrants threw very instructive light on the question and illustrated the complexity and wide-ranging nature of the problem: complex, because migrants were not yet identified as a homogeneous group in international law; wide-ranging, because of the large number of categories of migrants and the broad range of measures that needed to be taken to prevent violations of their rights.

55. IOM was attached to the principle that migrations conducted in an orderly fashion and with respect for human dignity were beneficial to migrants and society alike. Directly or indirectly, IOM contributed to safeguarding the dignity of migrants by ensuring their de facto protection through various types of activities.

56. In her organization's view, the Special Rapporteur on the human rights of migrants had a threefold function: first, to be the spokesperson for those who had no voice of their own, in other words, to draw attention to the risks and dangers to which migrants were exposed and to lend added international legitimacy to their claims. Secondly, the Special Rapporteur must encourage positive preventive measures. Those measures included provision of objective and reliable information to potential migrants, advisory services and enhancement of consular services for migrants, and, lastly, ratification of international instruments, including the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Lastly, the Special Rapporteur must liaise between the interested parties. By establishing links between the various actors involved in the protection of migrants' rights, the Special Rapporteur would be able to contribute to ensuring greater convergence of efforts and increased effectiveness. In other words, the keyword must be effectiveness of protection.

57. Mr. YUSHKEVICH (Observer for Belarus) said that respect for the rights of national minorities was a question to which his country accorded great importance because of the large number of nationalities living on Belarusian territory. According to the 1999 census, national minorities represented 19 per cent of the Belarusian population, which comprised more than 100 different nationalities.

58. The provisions adopted in recent years by the Belarusian Government in order to safeguard the rights of those minorities complied with international standards. Currently, more than 200 associations bringing together members of the various nationalities existed in Belarus. There were also a number of educational establishments in which teaching was provided in the languages of those nationalities, particularly Lithuanian and Polish. Russian was the country's second language and was taught everywhere.

59. In addition to the international instruments concerning minorities, Belarus had signed almost 60 international agreements aimed at protecting the rights of minorities in all spheres: science, culture, education, information, etc. Furthermore, representatives of the national minorities worked in close contact with the government organs responsible for religious and nationality issues.

60. In Belarus, minorities were free to practise their religion. The Orthodox faith ranked first, followed by Roman Catholicism. Besides Protestants, whose numbers had increased greatly in recent years, orthodox and liberal Jews and Islamic communities were also to be found in Belarus.

61. Lastly, thanks to its ability to preserve stability after the collapse of the Soviet Union, Belarus had seen no exodus of its citizens to other regions. The good relations that prevailed between the various national communities made Belarus one of the few countries of the former Soviet area which had seen no bloodshed as a result of racial or national conflicts.

62. Mr. VIGNY (Observer for Switzerland), speaking on agenda item 14(b), said it was regrettable that a lack of political will on the part of many States, including Western States, to participate effectively in the Working Group on Minorities had prevented it from fulfilling its role as an ideal forum for concerted action and exchanges of information on that issue. Many representatives of the minorities lacked the financial resources to enable them to come to Geneva. Hence the importance of "Appeal 2000", launched by the High Commissioner for Human Rights, calling on countries to emulate Switzerland by making voluntary contributions to finance travel by those representatives. Also very positive was the decision by the Working Group to communicate to States unable to attend one of its sessions the assessments made by their minorities of the situation in those countries, and to request the authorities concerned to reply in writing, so as to establish a dialogue with those minorities at the next session. Similarly, the fact that the Working Group had been invited to visit countries, such as Slovenia and Mauritius, to make an on-the-spot investigation of the situation of minorities, was a source of satisfaction. Switzerland also supported the other initiatives taken by the Working Group, particularly the convening of regional seminars in Africa, Asia, Latin America and the Caribbean, and the decision to publish a handbook containing the 1992 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and a commentary on the principles formulated therein. That commentary would make it possible to spell out States' commitments to minorities, and thus to guage the extent of application of the Declaration. Switzerland also supported the setting up by the Working Group of a database including, inter alia, a list of NGOs working to defend human rights and a bibliography on the question.

63. While it was regrettable that the international community had not yet succeeded in coming up with a definition of minorities, a task on which it had embarked in 1948, it should nevertheless be noted that that had not prevented the Council of Europe from recently adopting a framework Convention for the protection of national minorities.

64. Ms. MORENO FONTES CHAMMARTIN (International Labour Organization - ILO), speaking on agenda item 14 (a), said that in one of its recent publications ILO had shown that in recent years rather than helping countries move closer together, political resistance to migration had contributed to a widening of economic disparities. While constraints to trade and the free flow of capital had been removed, the doors to labour migration had progressively been shut. That had not stopped migration, for statistics showed that the number of migrants around the world, which had totalled 75 million in 1965, was now more than 120 million, and continued to increase. Indeed, migration pressures were worsening in many parts of the world in response to growing disparities between wages in industrial and developing countries. Thus, in 1995 hourly labour costs had been almost $32 in Germany and only $0.25 in India. To that must be added an increase in exports from industrial to developing countries,

causing unemployment in the latter, and the fact that receiving countries were becoming dependent on migrant labour for jobs that nationals did not want because they were too dangerous, too poorly paid or too demeaning. Migrant labour served to keep alive economic sectors which would otherwise not be competitive in global markets. Thus, in 1991 the United States Government had estimated that 77 per cent of all workers employed in United States crop production were foreign-born.

65. At the same time, all the indicators pointed to an increasing vulnerability of migrant workers and a deterioration in their living and working conditions, sometimes verging on slavery, particularly in the case of the growing number of undocumented migrants. In 1999 ILO had begun to set up a database in order to compile information on violations of migrants' human and labour rights. To the best of her knowledge, it was the only institution that was compiling information of that type, which could be used to draw the attention of the authorities to serious problems. ILO appreciated the role that the Special Rapporteur on the human rights of migrants could play in helping to develop such information and proposing new mechanisms to ensure respect for migrants' rights.

66. Mr. HUHTANIEMI (Observer for Finland) said he was taking the floor on behalf of his own country and the Netherlands.

67. Referring to the question of minorities, he said that the right of minorities to practise their religion, use their own language and enjoy their own way of life, individually and as a community, was a fundamental right. That was an aspect of the principle of non-discrimination enshrined in the Convention on that question. In that regard, Finland welcomed the fact that the Committee on the Elimination of Racial Discrimination accorded great importance to the rights of disadvantaged minorities. It urged States parties to recognize the competence of the Committee to receive communications from individuals or groups claiming to be victims of discrimination. The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance would provide an excellent opportunity for countries to pool their experiences in combating racial discrimination and intolerance, which often gave rise to intra-State conflicts. Finland encouraged States to involve their minorities in the preparations for the Conference and to include representatives of those minorities in their delegations to the Conference itself. He drew particular attention to the Roma and Sinti communities, who were the targets of discriminatory policies based on prejudice and intolerance. Governments must take special measures to ensure full enjoyment of their rights by the Roma and Sinti communities.

68. On agenda item 14 (d), "Other vulnerable groups and individuals," he expressed dismay at discrimination or even persecution to which persons were subjected on grounds of their sexual proclivity. Some legal systems even maintained provisions depriving such individuals of some of their rights or authorizing interference in their private lives by criminalizing sexual acts between consenting adults on grounds of "indecency". It was totally contrary to the fundamental principles of universality and non-discrimination to exclude anybody from any aspect of the protection provided by international human rights instruments. He welcomed the efforts of [illegible] to increase the visibility in that area and urged all Governments to protect human rights defenders working to ensure respect for the rights of homosexuals.

69. Mr. STROHAL (Observer for Austria), speaking on agenda item 14 (b), said that the vast majority of contemporary conflicts involved minorities, and must thus be prevented by creating an open and multi-ethnic society. Austria, as Chair-in-Office of the Organization for Security and Cooperation in Europe (OSCE), stressed that Organization's role in conflict prevention in regions at risk. Experience in the Balkans had shown the crucial importance of prevention. Safeguarding the rights of

minorities was the best means of ensuring the territorial integrity of States. In that regard, NGOs were indispensable partners in crisis management and conflict prevention.

70. At the regional level, Austria considered that the framework Convention for the protection of national minorities was crucial to safeguarding the rights of minorities in Europe. That Convention that been ratified by 29 Council of Europe member States, among them Austria, and by two non-member States.

71. At the global level, Austria attached great importance to the work of the Working Group on Minorities, and in particular to the commentary to the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. That commentary should assist Governments and minorities in coming to a better understanding of the commitments entered into under the Declaration. The Working Group might even play a still greater role as an early-warning mechanism and in preventing minority-related conflicts. Austria hoped that the Working Group would be involved in the preparations for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

72. Firm in the conviction that minorities enriched the societies in which they lived and that they needed special protection in order to preserve their identity, language and culture, Austria had adopted legislation to ensure the protection of the ethnic groups living in its territory. Advisory councils to the Federal Government and to federal ministers advised the authorities on all matters relating to minorities. Lastly, a government programme signed in February 2000 confirmed Austria's commitment to the protection of minorities though concrete measures.

73. Turning to the issue of displaced persons, he paid tribute to the Representative of the Secretary-General on Internally Displaced Persons, Mr. Francis Deng, for his role in fostering awareness of the problems posed by the millions of people displaced within the borders of their own countries, both for the countries concerned and among the international community as a whole. In particular, the Guiding Principles on Internal Displacement were being used as a benchmark by many parties active in that field, and the dialogue that Mr. Deng had initiated with Governments on the question was a positive step.

74. Austria intended to submit draft resolutions on the rights of persons belonging to minorities and on internally displaced persons. It hoped that, as in past years, those resolutions would receive wide support and would be adopted by consensus.

75. Mr. Ibrahim (Sudan) took the Chair.

76. Mr. MUSAYEV (Observer for Azerbaijan) said that Azerbaijan had one of the largest displaced populations in the world. In its four resolutions on the armed conflict between Armenia and Azerbaijan, the Security Council had called for unimpeded access to the affected areas by humanitarian organizations in order to alleviate the sufferings of the civilian population. Furthermore, on 20 December 1993 the General Assembly had adopted resolution 48/114, on emergency international assistance to refugees and displaced persons in Azerbaijan.

77. Although a ceasefire had been in effect since May 1996, a political settlement of the conflict had still not been achieved. As a result, the situation of refugees and displaced persons remained a matter of deep concern. Nevertheless, because of the protracted nature of the crisis and the absence of active hostilities for some years, the international community had turned its attention elsewhere and donors were losing interest. However, as the Representative of the Secretary-General had recommended in his

report (E/CN.4/1999/79/Add.1), it was essential to continue the emergency humanitarian assistance to displaced persons in Azerbaijan. At the same time it must be borne in mind that only through a lasting peaceful settlement of the conflict could a true solution be found.

78. With regard to the question of minorities, the Government of Azerbaijan considered that the promotion and protection of the rights of persons belonging to minorities contributed to the political and social stability of States. At the same time, it must also be stressed that those persons must respect the national legislation and the rights of others living in the same country. In accordance with article 8, paragraph 4, of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and article 20 of the Council of Europe's framework Convention for the protection of national minorities, the promotion of minority rights could not be interpreted as permitting any activity contrary to the fundamental principles of international law, including the principles of sovereign equality, territorial integrity and political independence of States. Respect for those principles was the basis for the contemporary international legal order.

79. Mr. EFTYCHIOU (Observer for Cyprus) congratulated Mr. Francis Deng, Representative of the Secretary-General, on the committed and effective manner in which he had pursued his mandate, particularly on his contribution to drawing up and promoting the Guiding Principles on Internal Displacement.

80. While expressing support for the efforts to establish an appropriate legal regime for internally displaced persons, he wished to share some thoughts that were based on his country's experience. He recalled that the Turkish invasion of Cyprus in 1974 had led to the forcible displacement of about one third of the population living in the area that was occupied. That had occurred despite the existence of an international legal order because a Government had deliberately decided to further its own political objectives in spite of those international legal standards. Such events showed that the fault did not lie with the existing legal framework but the lack of political will on the part of countries to honour their obligations and responsibilities under the instruments and agreements that were in force.

81. Turkey had not only expelled all the Greek Cypriots living in the occupied zone from their homes, but had also organized the implantation of almost 120,000 of its own citizens as colonists in the occupied area, in violation of the provisions of the fourth Geneva Convention. Furthermore, Turkey had set about changing the demographic structure in favour of the Turkish population by implementing policies that were contrary to the provisions of the fourth Geneva Convention and the third Vienna Agreement concluded between the two Parties. In addition, Turkey had systematically prevented the return of displaced persons in violation of article 13.2 of the Universal Declaration of Human Rights, which affirmed the right of everyone to return to his or her country.

82. Those facts demonstrated the need to ensure that any standard-setting activity was accompanied by vigorous measures to ensure respect for established standards. States should not be able to act with impunity in defiance of international law. It was necessary to make sure that the use of force and violations of human rights were punished and efforts made to reverse the results of aggression. In the case of Cyprus, that required full compliance with United Nations resolutions and high-level agreements defining the conditions for a settlement of the Cyprus problem, namely the establishment of a bizonal, bicommunal federation with a single sovereignty and international personality and a single citizenship, with its independence and territorial integrity safeguarded.

83. Ms. HINES (Observer for the World Food Programme) said that internally displaced persons were particularly affected by the problem of food insecurity. Having had to abandon their land and

their homes, they often found themselves without the ability to produce food or to earn money to buy food.

84. Their vulnerability and extreme poverty made it difficult to provide effective assistance and protection to internally displaced persons. That was why the World Food Programme was particularly concerned to try to understand the dynamics of displacements of population, the problems of access by displaced persons to food assistance and the needs of the various displaced groups, especially women, children, the elderly or the disabled.

85. Sensitivity to the particular needs of displaced persons should not translate into assistance programmes that discriminated against others or caused tensions with local populations. While there were some situations where it was necessary to take targeted action on behalf of displaced persons, particularly when they lived in camps, it was generally preferable to assist them through broader programmes which were also aimed at other groups.

86. Despite the efforts that were made, the measures takento assist and protect displaced persons were often insufficient and limited compared with those extended to refugees. In that connection, a fundamental problem was the lack of a clear legal and institutional framework, as well as inadequate resources and a lack of coordination.

87. The World Food Programme had endorsed the Inter-Agency Standing Committee paper on Protection of Internally Displaced Persons, dated 6 December 1999, and would be working with other agencies to implement it. It confirmed its commitment to promoting the search for durable solutions. It would continue with its work in the field in coming to the assistance of displaced persons, while continuing to advocate national government responsibility in that area and substituting its assistance for that of the relevant authorities as little as possible.

88. Mr. NOIRFALISSE (Observer for Belgium) said that the contemporary forms of slavery were a crucial subject and underlined the deep commitment of his country in that regard, particularly in combating trafficking in children. Stating that that commitment had been unjustly called into question, he recalled that the Belgian authorities had always collaborated with the Commission, the special rapporteurs concerned and the Office of the High Commissioner in providing all information requested.

89. The Belgian legislation of 1995 on stamping out trafficking in human beings, child pornography and the sexual abuse of minors had been reassessed following the tragic events that had taken place in Belgium four years ago, and very precise directives were now being implemented to make the laws that were in force more effective. Furthermore, the Belgian Parliament was currently drawing up new legislative provisions to enhance the criminal protection of minors against ill-treatment of whatever form. Belgium already possessed pioneering legislation in the area of combating sexual abuse via the Internet; a protocol of cooperation with the Belgian Organization of Service Providers had been concluded in May 1999. Furthermore, on its initiative, the European Union had adopted joint programmes the most ambitious of which dealt with the criminalization of trafficking in human beings and the sexual exploitation of children and with international cooperation in that area. Finally, Belgium had fully supported the adoption of the ILO Convention on the Worst Forms of Child Labour, the conclusion of an Optional Protocol to the Convention on the Rights of the Child and the Draft Convention against transnational organized crime, the protocols of which would deal particularly with combating the traffic in human beings, especially women and children, and the traffic in migrants. The Belgian delegation was convinced that all the measures and policies implemented at national level would be able to bear fruit only within the framework of an enhanced, coherent and more effective European and international system.

90. Mr. NAZARIAN (Observer for Armenia) explained that his country was particularly sensitive to the question of minorities by virtue of its history and because twice as many Armenians lived outside Armenia as inside. With personal experience of the Diaspora, Armenia attached considerable importance to the rights of minorities and had taken all necessary measures to guarantee the exercise of those rights by all the minorities living within its territories. The Kurds, for example, who represented about 2 per cent of Armenia's population, had their schools, newspapers, associations, etc. Many other groups (Russians, Assyrians, Greeks, Ukrainians, Georgians, Poles, Germans, etc.) lived in Armenia and enjoyed the same rights.

91. Shortly after independence, the national minorities in Armenia had founded the Union of Nationalities, which represented the 12 different communities and dealt with economic, social, cultural and other questions related to the minorities. The President of the Republic had recently appointed an adviser on relations with national minorities, whose first important task was to organize the Congress of National Minorities living in Armenia. Furthermore, in 1998, Armenia had signed and ratified the Council of Europe framework Convention for the Protection of National Minorities.

92. Armenia appreciated the activities of the United Nations treaty bodies in encouraging States parties to adopt measures, particularly by addressing recommendations to them. Nevertheless, Armenia noted with concern that racial hatred and acts of violence towards persons belonging to minorities was still widespread. Armenia was therefore determined to contribute to the efforts of the Working Group on Minorities in seeking solutions and promoting mutual understanding between minorities and Governments, and welcomed the recommendations made by the Working Group in document E/CN.4/Sub.2/1999/21.

93. Ms. SYDHOFF (International Council of Voluntary Agencies), speaking also on behalf of the World Council of Churches, the Lutheran World Federation and the International Catholic Migration Commission, said that internally displaced persons, whose number continued to grow at an alarming rate, constituted one of the most vulnerable groups of people in the world.

94. She deplored the fact that although the international community had recognized the tragic plight of displaced persons, the measures taken by the United Nations to come to their aid were extremely limited, sporadic and uncoordinated. Millions of people had been left to fend for themselves because of problems of access or because the United Nations mechanisms did not have the necessary resources and were not adequately coordinated.

95. The current debate on the activities for internally displaced persons within the United Nations system was welcome. It was to be hoped that it would contribute to enhancing the role of the Inter-Agency Standing Committee and lead to better coordination between the humanitarian agencies at regional and national levels. The appointment of Humanitarian/Resident Coordinators was encouraging. It was important that they encourage the participation of NGOs, which were often alone in being able to secure direct access to the persons affected.

96. Important achievements had already been made thanks to the action of the Representative of the Secretary-General, Mr. Francis Deng. It was regrettable, however, that the resources which he had in order to fulfil his mandate were not greater. One of the most important achievements to which he had contributed had been the development and promotion of the Guiding Principles on Internal Displacement. Many NGOs had translated and disseminated them. They requested all Governments to recognize them.

97. The organizations on whose behalf she was speaking hoped that the Representative of the Secretary-General would soon be able to visit and hold discussions with government representatives of the following countries: Myanmar, in order to urge the authorities to put an end to the systematic programmes of forced relocation; Angola, where there was an immediate need for a concerted effort to bring the internal conflict, which had produced massive displacements of populations for over 30 years, to an end; Chechnya, to demand that the Russian authorities allow access to displaced persons and guarantee their safety and that of humanitarian personnel; and Turkey, to urge the Government to respect the rights of the Kurdish people and to seek a political solution to the Kurdish problem.

98. Finally, she called on the Commission to urge all Governments fully to adhere to all their obligations under international law; to recognize their responsibility to secure protection and assistance for displaced persons in accordance with the Guiding Principles on Internal Displacement; and to facilitate the work of the Special Representative by providing him with long-term financial support.

99. Mr. LITTMAN (Association for World Education), speaking on agenda item 14 (b) and (d), denounced the atrocities of which the Copts were victims in Egypt where, according to an organization based in Cairo, 40 massacres had been carried out against them in the past 30 years. The United Nations should not ignore the plight of that martyred people, which was the heir to one of the oldest civilizations in the world.

100. One particular contemporary form of slavery which should be denounced was the traditional slavery which persisted in the Sudan. The Commission should categorically reject any attempt to replace the word "slavery" by the word "abduction" and must recognize that slavery was a crime against humanity, as had been stated recently by the Sub-Commission's working group which had examined the matter. The former Special Rapporteur on the situation in the Sudan, Mr. Gaspar Biro, had on many occasions denounced the slavery-like practices in that country, and Mr. Franco had done the same in his first report last year. According to Mr. Franco, it was currently the murahaleen militia, still called the mujahideen, and the Popular Defence Forces which were practising slavery. In his report, Mr. Franco recommended that the Government of the Sudan take all necessary measures to put an end to the incursions by those groups, which raided villages and abducted women and children. The Sudan, which claimed to have established a committee for the eradication of the abduction of women and children, made no mention anywhere of including international organizations in that committee although their participation was indispensable. Furthermore, if slavery was to be abolished it was also necessary to put an end to the practice of jihad, which was declared against its opponents by the National Islamic Front. In fact, jihad and slavery went hand in hand.

101. He said he expected the Commission clearly to condemn slavery, the slave trade and similar practices being carried out in the Sudan, and to call for international organizations to participate in the abolition of what was a crime against humanity.

102. Mr. ROSSI (International Association for Religious Freedom), speaking on the subject of minorities, recalled article 4 of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities which stipulated that States were obliged to take measures to ensure that persons belonging to minorities might exercise fully and effectively all their human rights and fundamental freedoms without any discrimination and in full equality before the law. Unfortunately, that was far from being the case in many parts of the world. In Kashmir, the Hindu and Sikh minorities were victims of ethnic extremism; in Pakistan, Christians were still in a difficult situation and an order remained in force forbidding Ahmadis from calling themselves Muslims. In Iran, freedom of assembly was denied to the Baha'is, Protestants were still subjected to harassment and Muslim converts to pressure.

103. In China, religious minorities had limited freedom, as demonstrated by the thousands of adherents of the Falun Gong Movement who had been imprisoned. In India, Christian minorities were very concerned by manifestations of violence on the part of Hindu extremists, who had gone so far as to attack convents, assassinate priests and rape nuns.

104. In Turkmenistan, the Adventist Church, which had obtained permission to build a temple in the capital, had just received an order to demolish it and was denied the right to exist and act as a community.

105. In France, an inter-ministerial commission to deal with sects had refused the status of cultural association to the Jehovah's Witnesses of whom there were more than 260,000 in the country and who felt themselves to be defamed and harassed, their peaceful religious movement being recognized in many countries in Europe and elsewhere. The French tax authorities had imposed a very heavy - 60 per cent - tax on the donations the Jehovah's Witnesses received.

106. It was not sufficient merely to adopt a resolution on minorities addressing all States in generic terms. Persecuted religious minorities must be protected by addressing the Governments of the countries concerned directly.

Statements made in exercise of the right of reply

107. Mr. FERRER RODRIGUEZ (Cuba), replying to the criticisms of his country made by the Minister for Foreign Affairs of Canada, said that once again a rich country from the North was, uninvited, aspiring to set itself up as a judge of the situation of human rights in the countries of the South and to give lessons on the subject. Canada, which was a country so vast that it took several hours to travel from East to West, was aspiring to overfly countries in three continents at supersonic speed. The least one could say was that the Minister for Foreign Affairs of Canada should have started by overflying his own country. In any event one had the right to expect better of a country like Canada, which was so close to Cuba not only geographically but in many other ways too.

108. Mr. GAZIOGLU (Observer for Turkey), replying to the observer for Cyprus, said that the Greek Cypriot representative had once again portrayed the Cyprus question as a problem of "invasion and occupation" and in that respect had cited the fourth Geneva Convention. He recalled that Ms. Klerides, a Greek Cypriot parliamentarian, had recently acknowledged that the Cyprus problem had begun not in 1974 but in the 1960s. Turkey was not an occupying power, the Turkish Government had no jurisdiction over the Turkish Republic of Northern Cyprus, and the fourth Geneva Convention could not be applied in the case of Cyprus. As for the demographic question, the Greek Cypriots had become past masters in that they had managed to introduce thousands of settlers from Greece and between 1963 and 1974 had even tried to rid Cyprus of its ethnic Turkish population. As for the refugee problem, the Observer for Cyprus seemed to have forgotten that nearly four fifths of the Turkish Cypriot people had been rendered homeless and had become refugees since 1958, when the Greek Cypriot side had attempted to annex Cyprus to Greece. While the two sides were continuing to negotiate an agreement on the basis of a bizonal settlement, there was hypocrisy on the Greek Cypriot side in speaking about a return of refugees. If there was an issue of property claims, the Greek Cypriot side should reply to the proposal of the Turkish Cypriot side regarding the establishment of a commission for that purpose.

109. As for Armenia's allegations of genocide, its observer representative would have been more faithful to historical truth if he had mentioned the genocide of Turks at the hands of Armenians.

110. Mr. EFTYCHIOU (Observer for Cyprus), replying to the observer for Turkey, recalled that as early as 1954, in other words well before the Turkish invasion of 1974, Turkey had, in numerous statements, demonstrated its intention to annex Cyprus to Turkey. It was interesting to note that the observer for Turkey had not disputed the violations of human rights his country had committed in Cyprus, being content to state that Turkey had no reason to apologize because it was not bound by the fourth Geneva Convention.

111. Mr. NAZARIAN (Observer for Armenia), replying to the observer for Turkey, said that the majority of delegations present must have been surprised by the version they had heard of the Armenian genocide, which had cost the lives of 1.5 million Armenian women, men and children. The Turkish statement was an offence to the survivors of the genocide and to other nations which had suffered similar tragedies. In a week's time there would be commemoration of the eighty-fifth anniversary of the crime, which had still not received worldwide acknowledgement. The observer delegation of Armenia condemned the provocative statement made by the observer delegation of Turkey and called upon it to show respect to the participants of the session.

112. Mr. GAZIOGLU (Observer for Turkey) said that once again the Greek Cypriots were claiming to have forgotten the events which preceded the Turkish intervention of 1974, namely the invasion of Cyprus by Greece. That was a fact which had been recognized before the Security Council in July 1974 by the then leader of the Greek Cypriot community, Archbishop Makarios.

113. Mr. EFTYCHIOU (Observer for Cyprus) said that the violations of human rights committed by Turkey were known to all. They had been denounced by the Council of Europe as well as by the Commission on Human Rights itself. The issue was a very simple one despite the attempts made by Turkey to confuse the matter, and it was whether Turkey was at long last ready to conform with international law and respect human rights.

The meeting rose at 6.10 p.m.